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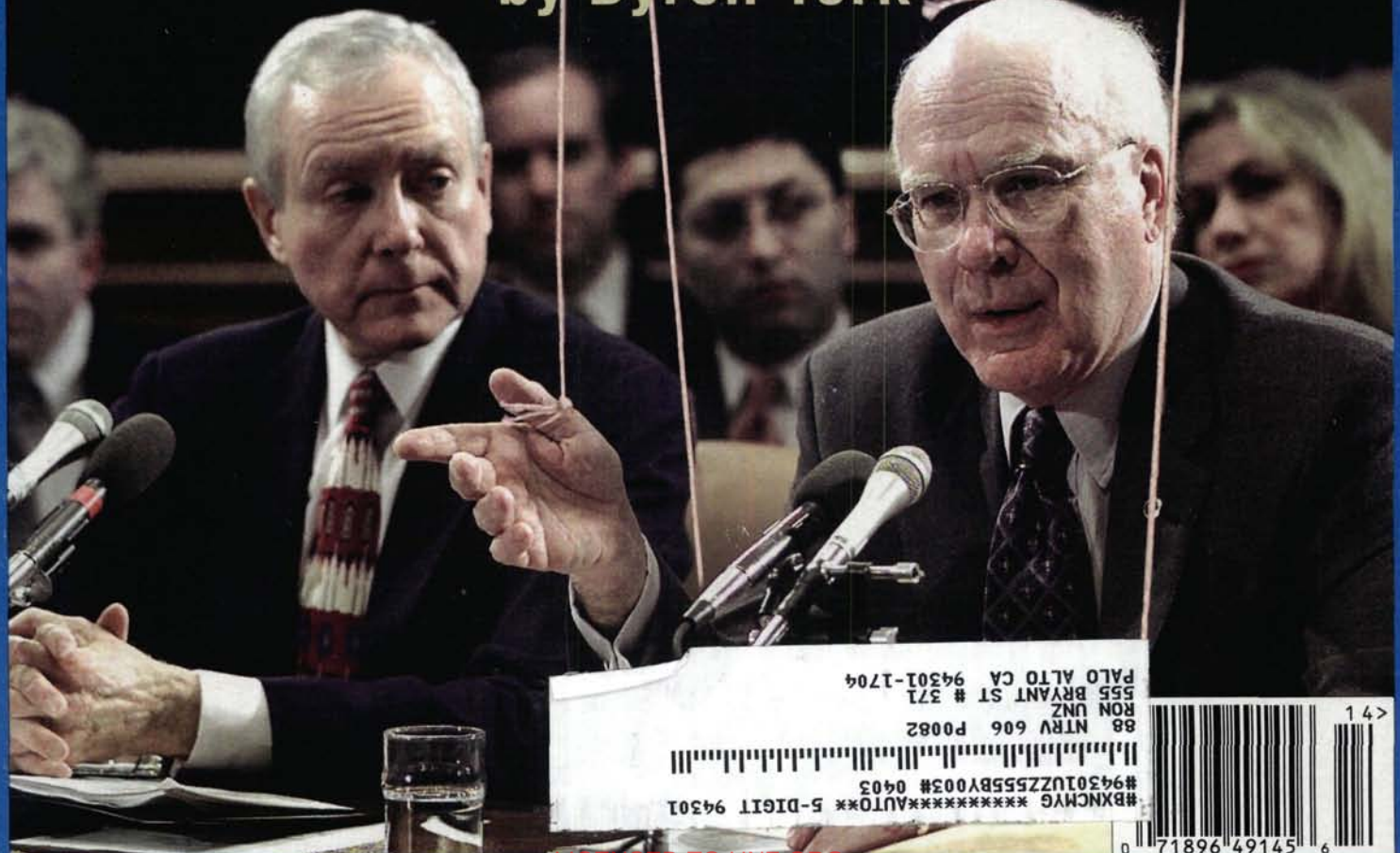
by Byron York



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■ LETTERS ■

PROPHET OF DOOM?

I was acutely disappointed in Richard Brookhiser's review of Pat Buchanan's new book ("The Doomsayer," March 11). Mr. Brookhiser's only serious objection to Buchanan's central tenet is that a resurgence of patriotism after 9/11 makes Buchanan's fears about unchecked Third World immigration irrelevant. Having just witnessed our first gubernatorial debate in *Spanish*, I would argue that Buchanan's concerns are more relevant than ever. Reasonable people can differ on the issue of immigration, but Mr. Brookhiser simply ducks the issue.

John K. Dirlam
Wellesley, Mass.

TEAR DOWN THIS TREATY!

Godspeed to Messrs. Casey and Rivkin in their drive for U.S. withdrawal from the Rome Treaty ("When in the Rome Treaty . . .," March 25). Our experience indicates they need it. Meeting with senior State Department aides to explain why my colleagues and I thought that the U.S. should withdraw from the Kyoto Protocol, we were told that "our lawyers tell us signing a treaty doesn't mean anything." Seriously.

President Bush has made clear that the Russians will not dictate our missile-defense policy. Why then should Franco-German handwringers dictate U.S. energy policy, or Libyans the criminal prosecution of Americans? Rome and Kyoto present wonderful embarkation points for a sovereignty-restoration tour.

Christopher C. Horner
Competitive Enterprise Institute
Washington, D.C.

LOOK FOR THE (NON-UNION) LABEL

I am a longtime admirer of Jay Nordlinger's work and of NATIONAL REVIEW. But in "Ashcroft with Horns" (March 25), Jay goes "liberal" by labeling me as a "conservative Christian journalist."

Conservatives rightly protest when liberals label them and do not label their own. Let's not have conservatives committing the same labeling sin. I am a syndicated columnist for Tribune Media Services.

Cal Thomas
Alexandria, Va.

JAY NORDLINGER REPLIES: *Mr. Thomas makes an excellent point. I should say, however, that I labeled him so in order to suggest why Attorney General Ashcroft would have felt free to make a forthrightly religious comment to him. Besides which, "conservative Christian" is no slur. But still: Mr. Thomas makes an excellent point.*

FRANCE AND ITS JEWS

No one familiar with the history of modern France should be surprised by the current reluctance of the government to protect its Jewish population (The Week, March 11).

France was the only occupied country in Europe to which Hitler had no need to send a *Gauleiter* to see to the enforcement of anti-Semitic policies. The French did it for him. Is it any surprise that the current government fails to protect its Jewish citizens from bigots and thugs?

Rita Kramer
New York, N.Y.

APPROPRIATE BREW

As a former employee of the famous brewery at Mortlake on the Thames, I congratulate Christopher Buckley ("Genius at Work," Feb. 25) for guessing that the America-loathing Robert Altman drinks Watney's ale.

Fancy a Yank knowing that Watney's trademark is a *red* barrel!

David Goldbloom
Aptos, Calif.

A BETTER CHOICE

As a weekend resident of Vermont, I take umbrage at the suggestion in The Week (March 11) that because Vermont has the misfortune to be represented in Congress by Messrs. Jeffords, Leahy, and Sanders, it is a candidate for the dumping of the nation's nuclear waste.

First, it has suffered enough. Second, if the propinquity of these gentlemen is the relevant criterion, the District of Columbia would be ideal, as they spend more time there than in Vermont.

Richard Teller
Boston, Mass.

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The Fall of Saddam

Robert Zelnick is a research fellow at the Hoover Institution and acting director of the epartment of Journalism at Boston University.

On the day Saddam Hussein falls, there will be dancing in the streets of Baghdad. The country will not implode. Military analysts will ponder a victory that was less costly than many projected. States such as Syria and Iran will proclaim their aversion to terrorism. NATO will forget its early opposition.

Now, during the prebattle period, naysayers are having their day. Why Iraq? It is no worse than others on the "axis of evil." After all, Iran has longer-range missiles and sells more weapons. North Korea may already be nuclear.

They caution against, in Al Gore's words, "wishful thinking based on best-case scenarios." **Iraq is tougher than the Taliban;** the Iraqi National Congress is no Northern Alliance.

And they note international concern. The Saudis have an excess of caution, and the Turks, an excess of Kurds. Impoverished Moscow and wealthy France see billions in unpaid Iraqi debt. Other European friends resent seeing their military irrelevance displayed.

For all its malfeasance, however, Iran is a society where political evolution seems plausible. North Korea plays a reckless game fueled by the paranoia of its leadership. But it has no external designs, and past conduct suggests a willingness to rein in its most troublesome programs, for a price.

Saddam's Iraq is in a class by itself. It has launched two wars against neighboring states and fired Scud missiles against a third. Saddam attempted to kill a former U.S. president and routinely violates "no-fly zones" established to limit his ability to annihilate his own people. Iraq has used chemical weapons on the battlefield and to quash domestic unrest. Saddam maintained a covert nuclear program and sought to develop biological weapons, harassing United Nation inspectors sent to enforce the ban. The compelling insight embraced by the decision to dislodge Saddam is that **the war against terrorism cannot be won if the war against weapons of mass destruction is lost.**

Before the Persian Gulf War, military experts exaggerated Iraqi military power. In the event, Saddam's "battle-hardened" divisions were depleted by desertion, their morale shattered by indiscipline and American bombs. Save for a lucky Scud missile that crashed into military barracks in Dhahran, the United States lost more troops to "friendly fire" than to Iraqi guns.

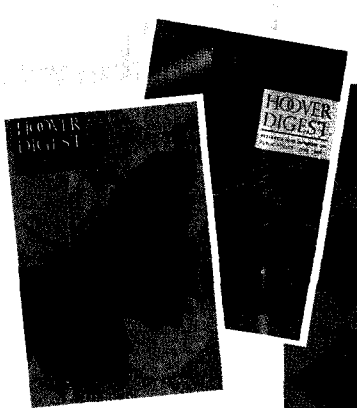
Today Iraq's army is even smaller, less well equipped, and less prepared than it was before the Persian Gulf War. And the U.S. advantage in highly accurate weapons—formidable then—is now overwhelming.

Nor should the comfort of friends like Saudi Arabia be controlling. Their tolerance of the antics of Osama bin Laden and other terrorists operating against anyone save the royal family has been well reported, as has the vitriolic brand of Islam taught in Saudi-financed schools. Turkey has some legitimate concerns, but they will fade if Kurdish nationalism is held in check.

As to NATO, its focus is Europe. Elsewhere, differences are common. We broke with our British and French friends over the 1956 Sinai campaign. There were differences too over Vietnam, and today, over Israel. But at the end of the day, NATO members too will cheer the fall of Saddam and relish the reduced threat his demise will signal.

— Robert Zelnick

Paid for by the Hoover Institution, Stanford University.



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FOR THE RECORD

President **Bush**'s job approval, in ABC News/*Washington Post* poll: 82 percent. . . . Bush, on six-month anniversary of 9/11: "For any terrorist looking for a base of operations, there must be no refuge, no safe haven. By driving terrorists from place to place, we disrupt the planning and training for further attacks on America and the civilized world. Every terrorist must be made to live as an international fugitive, with no place to settle or organize, no place to hide, no governments to hide behind, and not even a safe place to sleep." . . . Bush, on **Osama bin Laden**: "I truly am not that concerned about him. I know he is on the run." . . . Bush, on **Saddam Hussein**: "He is a problem, and we're going to deal with him." . . . In ABC News/*Washington Post* poll, 72 percent support "having U.S. forces take military action against Iraq to force Saddam Hussein from power," but 54 percent don't think "it's worth risking a large number of U.S. military casualties . . . to capture or kill Osama bin Laden." . . . "Our next objective is to prevent terrorists, and regimes that sponsor terror, from threatening America or our friends and allies with weapons of mass destruction," says Vice President **Cheney**. "The United States will not permit the forces of terror to gain the tools of genocide." . . . For fourth time, interceptor hits target in missile-defense test.

White House adviser **Karl Rove**, on PBS: "The parties in this country have been increasingly less relevant in the last decade." . . . In counties that went narrowly for **Al Gore** in 2000, registered voters give Bush 71 percent approval, and more want Republicans to retain control of the House than want Democrats to take it (46 to 39 percent), according to *National Journal*. . . . Sen. **Fred Thompson** (R., Tenn.) announces retirement, with former governor **Lamar Alexander** and Rep. **Ed Bryant** intending to pursue GOP nomination. . . . Former D.C. mayor **Marion Barry** says he will run for city council. . . . Gov. **Gray Davis** (D., Calif.) attacks GOP challenger: "**Bill Simon**'s vision of the future is totally out of step and out of sync with California's. He is pro-life, pro-gun, pro-voucher, pro-a crazy deregulation scheme, and pro-privatization. This is not California's vision of the future." . . . *Los Angeles Times* poll gives Davis 59 percent disapproval rating. . . . *Electronic Media* magazine polls political-talk-show producers, who name Cheney and defense secretary **Donald Rumsfeld** as "most likely to make news," Sen. **Hillary Clinton** (D., N.Y.) as "highest maintenance," and Sen. **Joseph Biden** (D., Del.) as "most in love with the sound of [his] own voice."

In Zogby poll, Bush defeats Gore in prospective 2004 matchup, 58 percent to 34 percent. Bush also tops Hillary Clinton (64–29), **Tom Daschle** (61–25), and **Dick Gephardt** (62–26). . . . Actor **Alec Baldwin**, in *Tallahassee Democrat*: "I know it's a harsh thing to say, perhaps, but I believe that what happened [in 2000 Florida presidential vote] did as much to damage the pillars of democracy as terrorists did to the pillars of commerce.". . . In New Jersey, **Bret Schundler** lays groundwork to run for governor again in 2005.

"Normally, I wouldn't recommend surgery in a case like yours, but I have two kids in college."

Former White House counsel **C. Boyden Gray** on fight over unsuccessful judicial nominee **Charles Pickering**, in *Los Angeles Times*: "I do think it's a warmup for the Supreme Court." . . . Sen. **Zell Miller** (D., Ga.) on the Pickering rejection: "This action may very well elect a Republican governor in Mississippi, and it will certainly make it even more difficult for Democratic candidates to be successful in the South." . . . Justice **Sandra Day O'Connor** criticizes disability law as example of what happens when "sponsors are so eager to get something passed that what passes hasn't been as carefully written as a group of law professors might put together." . . . Rep. **Tom Tancredo** (R., Colo.) on learning INS had approved flight-school visas for two 9/11 hijackers: "The INS is the Mickey Mouse Club of federal agencies, but this actually would indicate that's an insult to Mickey Mouse." . . . Teamsters president **Jimmy Hoffa** repeats his support of Arctic oil drilling: "We cannot allow the tyranny of a few to stop us from having a comprehensive energy plan. We will remember in November." . . . National Review Online columnist Dave Shiflett's "part folk, part alt/country, and part jazz" group, Floor Creak, releases CD. All songs written by Shiflett. CD can be purchased at www.cdbaby.com/cd/floorcreak. . . . National Journalism Center is accepting applications for its summer internship for college students. For more information see www.nationaljournalismcenter.org.

Iraq's Saddam Hussein, on America's threatening to attack: "They don't scare us." . . . Russian foreign minister **Igor Ivanov** says Moscow opposes attack on Iraq but wouldn't necessarily pull out of war coalition if it happened. . . . U.S. soldiers in Afghanistan find evidence that Saudi royal-family member **Badr bin Nihar bin Saud al-Hamada al-Sahly** belongs to al-Qaeda, according to *Army Times*. . . . Government science panel in Britain concludes marijuana "is not associated with major health problems for the individual or society." . . . **Margaret Thatcher** recommends Britain begin pulling out of EU.

Conan O'Brien on *Late Night*: "Yesterday in the Middle East, Israeli troops tear-gassed **Geraldo Rivera**. As a result, fighting stopped for a few hours while both sides laughed hysterically." **NR**

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THE WEEK

■ At a luncheon in New York, attended also by Hillary Clinton, the actor Alec Baldwin referred to two "catastrophic events" that hit America: September 11, of course, and the 2000 presidential election. Mr. Baldwin forgot a third: his reneging on his vow to leave the country if Bush won.

■ The six-month mark in the Terror War was observed in New York by a moment of silence during the St. Patrick's Day parade (so many of the dead firemen and cops were Irish), and by the illumination of two pillars of light, spectral Trade Towers, shining from Ground Zero. New York being New York, there is an intense squabble over what should stand on the site permanently: new buildings plus a memorial? What sort of a memorial? Let us save the permanent commemoration until we have, in fact, won. Meanwhile, ordinary American visitors are showing the proper spirit. St. Paul's Chapel on Broadway is the oldest religious building in Manhattan (Washington worshiped there when he was president). It is blocks from Ground Zero, and the line to one of the viewing platforms snakes around its iron fence, which has become an iconostasis of tributes: flags, hats and shirts, messages. All bear printed or handwritten names of people and places, paying tribute by these tokens. New York after 9/11 has become the Alamo. The country remembers. Our enemies will learn.

■ Operation Anaconda in the Shah-i-Kot valley was a victory—but how much of one? The Army and its Afghan allies went into the fight expecting to confront 200 Taliban and al-Qaeda holdouts. In short order, these mushroomed to 1,000 or more. After the battle, reporters and the Afghans themselves began saying that there were only dozens of corpses to be found. As in every war, there was incomplete intelligence, and as we have seen before in this war, the Afghan allies did a very ragged job of fighting. The American command wisely declines to get into the business of body counts. We can expect to identify significant concentrations of die-hards, and break them up, using more of our own (and British) muscle, though our tactics will require continual refinement, even as our enemies refine theirs. Remember that in mid October the punditocracy believed we could not take Kabul and Kandahar until spring. For the record: One of our battle dead was a soldier captured by the enemy after he fell from a helicopter, and barbarously murdered by them. We trust their comrades in Guantanamo are enjoying their curry and their prayer sessions.

■ Conservative Republican Bill Simon has a shot at winning the governor's race in California—but not if the party establishment would rather refight the primary. Gerald Parsky, President Bush's man in California, said he would "not be involved" in the fall election and warned that the party has to lose its "extremist" image. His words were predictably taken as a shot at Simon. But the real danger for Simon is that he accepts the party establishment's platitudes about being "inclusive." In recent years, California voters have decisively rejected bilingual education and racial preferences at the polls. Democrats are subverting the people's will on these policies. Will Simon challenge Gov. Gray Davis here? Or are California Republicans incapable of seeing an opportunity when it's staring them in the face?

■ Sen. Fred Thompson has announced his retirement. The Tennessee Republican, who holds the seat once occupied by Al Gore, may not be a giant in the Phil Gramm and Jesse Helms mold, but he will be missed when he's gone. Thompson has been a champion of federalism and a strong advocate of term limits. His misguided support for campaign-finance legislation is offset by his tenacious efforts to expose China's meddling in the 1996 presidential campaign. In two elections, "ol' Fred," as he called himself, managed to command 60 percent of the vote—no small feat in a diverse state stretching from the Mississippi to the Smoky Mountains. Two Republicans have emerged as potential replacements, former governor Lamar Alexander and Rep. Ed Bryant. Alexander has carried the state previously, which is an important consideration in a race that won't be a cakewalk; Bryant, one of the managers of Clinton's impeachment trial, has a reliably conservative voting record. Whoever wins the primary, there's reason to believe—and hope—that Tennessee won't be trading down.

■ Guess what? Independent counsel Robert Ray had enough evidence to indict Bill Clinton in the Monica Lewinsky case. That seemed obvious enough in 1998, but we found out for sure only on March 6, when Ray's office released its final report on the Lewinsky investigation. Ray wrote that "sufficient evidence existed" to prosecute Clinton, and that the evidence would likely have been enough to win a conviction. But Ray decided that Clinton's last-minute plea bargain—in which the president admitted making false statements about his relationship with Lewinsky—was enough to serve the interests of justice. So why did Ray need to explain what might have been? Republicans complained bitterly when Lawrence Walsh raged that he could have indicted George H. W. Bush in the Iran-contra affair—even as Walsh chose not to do so. Congress even changed the law to bar prosecutors from turning final reports into substitute indictments for targets never charged with any crime. But Ray ignored Congress's

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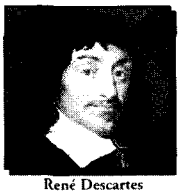
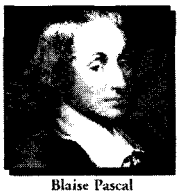
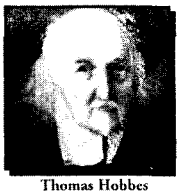
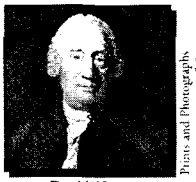

René Descartes


Blaise Pascal


Thomas Hobbes

John Locke


David Hume

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Many of the basic concepts shaping our world are "young" ideas, no more than a few centuries old. Modern science, technology, democratic government, natural rights, and even a general tendency to be open to innovation are a few examples. We take them as givens, even while we continue to debate their meaning and implications.

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ALAN CHARLES KORS (Ph.D., Harvard University) is Professor of History at the University of Pennsylvania, where he has taught since 1968.

He is the author and editor of several books on European intellectual history, including *D'Holbach's Coterie: An Enlightenment in Paris, Atheism in France, 1660-1729: The Orthodox Sources of Disbelief;* and *Anticipations of the Enlightenment in England, France, and Germany.*

He has won two awards for distinguished college teaching and the Engalitcheff Award for defense of academic freedom. With Harvey A. Silverglate, he is co-author of *The Shadow University: The Betrayal of Liberty on America's Campuses, published in October (1998).*

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wishes and included his non-indictment indictment of Clinton in the final report. It's one more reason to be thankful that the independent-counsel law is dead and gone.

■ On March 12, the House of Representatives voted to give legal status to babies who are born, literally, alive. Nurse Jill Stanek has testified to Congress about the need for the Born-Alive Infants Protection Act (an idea first floated in NR by Hadley Arkes), describing the awful practice of leaving fully delivered, breathing babies to die, following unsuccessful abortions. But if you got your news from the Associated Press after the vote—where most of the nation's newspapers get their news—you read this: "The House voted Tuesday to define a fetus that is fully outside a woman's body as having been 'born alive,' which would give the fetus legal protection." A fetus that is fully outside a woman's body? The AP wasn't the first and no doubt won't be the last to use such tortured language in describing the bill. But, unless Peter Singer is writing your stylebook, don't you just sometimes have to call a baby a baby?

■ A federal district judge has struck down the Army's officer-promotion policies because they discriminate on the basis of race and sex—i.e., they discriminate against white men. Judge Royce C. Lamberth's careful and well-reasoned decision affects not only a single branch of the military, but, potentially, the whole federal government. Agencies that tip the scales in favor of non-whites and women face a persuasive precedent if they, too, are sued for promoting people on any basis besides merit (which they often do under the euphemism of "goals and timetables"). John Ashcroft's Department of Justice now must decide whether to appeal. We'll be watching.

■ Rosie O'Donnell has come out of the closet and into the controversy over gay adoption. Our view is that a child is, in general, better off having a mother and a father. There have been various attempts to use social science to prove that same-sex couples can raise children as well as married couples can, as there have been attempts to make the case for single motherhood. The studies have all turned out, however, to have methodological flaws that prevent the optimistic conclusion from being drawn and leave the presumption in favor of tradition in place. In any case, a same-sex couple cannot fill one parental function that traditionalists rightly consider important: serving as a model of a morally upright sexual relationship. There are, of course, cases in which children are better off in the care of a homosexual couple: if, for example, that couple has already been raising them for several years. But adoption services should continue to seek first to place children with married couples, and lawmakers should seek to remove obstacles to adoption by such couples. This is an area where hard cases are very likely to make bad law.

■ Claritin will soon be available without a prescription. That's good news for allergy sufferers who need a medicine that doesn't make them drowsy. It's also good news for economic freedom, since it means it will no longer be a crime for a pharmacist to sell it over the counter. Mike Lynch explained how the change occurred in a column for Reason Online. An HMO asked for the change because it would make Claritin's price cheaper. Schering-Plough, the manufacturer, resisted the shift for the same reason—although it also made spurious arguments about consumers' inability to use the drug safely by themselves. But Schering-Plough switched sides once its patent on Claritin ran out and it developed a better prescription drug for allergies. The pharmaceutical industry is frequently the target of liberal demagoguery. But it sometimes really does try to gouge people, with the collusion of the government.

■ "Can There Be a Decent Left?" asked Michael Walzer, coeditor of the left-wing quarterly *Dissent*, and the answer is, he isn't sure. In a sober essay, Walzer surveys the Left's response to September 11: "They were committed to opposing the war, and they were prepared to oppose it without regard to its causes or character." Walzer cites four causes of the Left's naysaying: outdated Marxist ideology, which denies the power of religion; alienation born of impotence (leftists "talked and wrote as if they could not imagine themselves responsible for the lives of their fellow-citizens"); anti-Americanism as a validator of moral superiority; and refusal to criticize anyone in the Third World (yet "even the oppressed have obligations, and surely the first among these is not to murder innocent people . . ."). Walzer's ideal foreign policy would be interventionist and, in the long run, utopian—after criticizing foreign brutes, we would work to reform their societies. But Walzer wants a Left that lives within the three-mile limit. "We can be as critical as we like, but [our fellow citizens] are people whose fate we share. . . . When they are attacked, so are we; and we should join willingly and constructively in debates about how to defend the country." A Left that took his advice would be morally worth debating.

■ John Walker Lindh's defense lawyers, trying to portray the Marin County jihadist as an ambivalent, perhaps even peaceful fellow, claimed that he became disillusioned with his Taliban and al-Qaeda comrades after September 11, but that "fear of death" kept him in their ranks. Fear of his own death, possibly. The deaths of other people don't seem to have bothered young Walker Lindh when he took up arms, if the oath of a jihadist, found in a house in Kabul, is any indication. "I, [name follows], state in the presence of God that I will slaughter infidels my entire life. And with the will of God I will do these killings in [*sic*] the supervision and guidance of [name of commander]." The oath was found in a trove of documents left by dead or fleeing Taliban and al-Qaeda terrorists, and described at length in the *New York Times*—inconveniently enough, only days after Lindh's defense team spun its case. Why else, except for such reasons, would the America-hating Lindh have signed up with such a gang? To learn a skill?

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■ Robert Mugabe was reelected as president of Zimbabwe after a campaign characterized by state-organized violence against opposition groups, intimidation of voters, and discrepancies in the announced vote counts. The result was nonetheless greeted with applause by most African leaders. "Your victory . . . is a testimony of the confidence and high esteem the people of Zimbabwe hold in you," gushed President Moi of Kenya. Next door in Tanzania, President Mkapa called Mr. Mugabe "a champion of democracy." Zambia's President Mwanawasa went even further, announcing that any of his own countrymen who questioned the Zimbabwe result would be a traitor, liable to find himself being questioned by the police. With a few honorable examples—the observer team from the British Commonwealth, headed by a Nigerian, condemned the result—African governments closed ranks behind Mugabe. Why? Probably because Mugabe's election practices are routine in Africa, at least in those countries that trouble with elections at all. Also because to criticize one of their own would cast doubt on the all-purpose explanation for Africa's problems favored by the continent's leaders, intellectuals, and apologists: the legacy of white colonialism.

■ On March 10, the Saudi daily *Al-Riyadh* published an article, innocuously titled "The Jewish Holiday of Purim," by Prof. Umayma Ahmad Al-Jalahma of King Faisal University in Al-Dammam. (*Al-Riyadh*, and for that matter King Faisal University, are controlled by the same Saudi government that recently floated its very own Middle East peace plan.) "[T]he Jews' spilling human blood to prepare pastry for their holidays is a well-established fact, historically and legally, all throughout history," writes Al-Jalahma. "[A] needle-studded barrel is used; this is a kind of barrel, about the size of the human body, with extremely sharp needles set in it on all sides. [These needles] pierce the victim's body, from the moment he is placed in the barrel . . . [T]he Old Testament, the Jewish holy book, requires the Jews to glorify this holiday and show their joy. This joy can only be complete with the consumption of pastries mixed with human blood."

■ Back in the 1970s, when it was a funny magazine, *National Lampoon* used to run a comic strip featuring a superhero named "Politenessman." Armed with a steel hankie to hurl at malefactors, the impeccably groomed Politenessman would show up at the scene of a crime or a disaster and correct everyone's manners. He rarely did anything to actually save lives; but, as he would point out to the reader in a closing panel: "At least these people died in an atmosphere of good breeding." A macabre, distinctly unfunny version of his spirit was on display in the Saudi Arabian city of Mecca recently, when young girls fleeing a blazing school building were forced back inside by the country's religious police because they were not wearing properly Islamic headscarves and black robes. Three members of the Commission for the Promotion of Virtue and Prevention of Vice were seen "beating young girls to prevent them from leaving the school because they were not wearing the *abaya*." Fifteen girls, aged 13 to 17, died in the fire . . . but they perished in an atmosphere of Islamic propriety, thank goodness.

■ There are estimated to be between 200 and 600 private Islamic day schools in the U.S., with at least 30,000 students in attendance. What do these schools aim to offer? "We want it to be a place where they [i.e., the students] don't have to assimilate," declares a teacher at the Washington Islamic Academy (D.C.). To make sure that assimilation is kept well at bay, the schools use textbooks imported from Pakistan and Saudi Arabia. One in use at the Islamic Saudi Academy in suburban Virginia instructs readers that a sure sign of the Day of Judgment will be that Muslims will fight and kill Jews, who will hide behind trees that say: "Oh Muslim, Oh servant of God, here is a Jew hiding behind me. Come here and kill him." World maps hanging on classroom walls do not show Israel; at the Al-Qalam girls' school in Springfield, Va., the word "Israel" is blackened out with marker and "Palestine" written in its place. Not to worry, though: Officials from this and another school want us to know that Islam is "a religion of peace and tolerance." Of course it is, of course.

■ The priests-and-molestation scandal continues to roll through the Catholic Church and the media. Much, though not all, of the hushed-up abuse involves priests and teenage boys, not young children, and is an outgrowth of a subculture of clerical homosexuality, with which the Catholic Church, like the Anglican communion, is afflicted. Many outsiders, some laymen, and one official publication (the Boston *Pilot*) have asked whether priestly celibacy tends to breed a clergy that is gay or repressed. Celibacy is a matter of discipline within the Latin rite, not doctrine (Catholic priests of the Eastern rite are not bound by it), and so it might in theory be changed. On the other hand, it has served the institution well for many centuries, despite horrid scandals (one Renaissance Pope was reputed to sleep with his daughter). One difference about these scandals is that they occur in an open society with a flock of free men and women. America has been the proving ground for Catholicism's experiment with modernity. The zeal, the piety, and the prudence that American Catholics summon in this crisis will be an important indicator of the health of that experiment.

■ Harvard recently awarded its $50,000 visiting Robert F. Kennedy professorship to architect Mario Coyula-Cowley, who has been a fixture of the Cuban regime since helping to orchestrate Castro's rise to power in 1959. As Ross Douthat pointed out in the *Harvard Crimson*, Cuba was last year rated by Freedom House as more repressive even than Libya, Syria, or China—yet Coyula-Cowley's arrival has been met with acclamation. "Personally," said Prof. John Womack, "I think it's admirable he's served for that government." So, apparently, does Harvard.

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■ Last year, the leftist long march through the institutions of higher education trampled underfoot the St. Ignatius Institute, an acclaimed great-books program at the Jesuit-run University of San Francisco. Now the Jesuits, who gutted the tiny program, have gone one better: They've exiled Institute founder Fr. Joseph Fessio, SJ, to a hospital chaplaincy in southern California. Fessio's crime? Attempting to resurrect the St. Ignatius Institute outside the confines of the USF, renaming it Campion College. The very existence of a school where traditional Catholic humanism is taught was too much for the San Francisco Jesuits, whose move to rid themselves of this meddling priest is a clear attempt to kill off the nascent college. Fr. Fessio, who may be the last Jesuit on the West Coast who still knows what it means to obey, has accepted his fate; the future of Campion College is uncertain. This is an issue that should concern not just Catholics, but all who fear for true intellectual diversity and the Western tradition in higher education.

■ Shortly after a conservative student monthly at UC-Berkeley criticized the school's chapter of MEChA, a radical "Chicano" group, someone broke into the publication's offices and stole 3,000 copies of the offending edition. Writers for the paper—*The California Patriot*—also received death threats and were surrounded and harassed as they handed out issues. The article in question described a MEChA flier that called for the liberation of the "bronze continent by the bronze people" from the "gringos" who had conquered it. For conservatives at Berkeley, and many other colleges, for that matter, this is business as usual. Conservative speakers on the campus are silenced by hecklers as a matter of course, and twice in the past year copies of *The California Patriot* have been stolen and burned. The intolerance of the Left is an old story—and should be distressing not only to us, but to all true liberals.

■ Now that an Oscar win can mean millions in revenue, Hollywood studios have taken the war to the trenches. The latest skirmish came when rumors began surfacing that mathematician John Nash, the subject of Best Picture favorite *A Beautiful Mind*, was an anti-Semite, adulterer, homosexual, or all three. As it turns out, the homosexuality charges were unsubstantiated, and the affair had ended before Nash's marriage. And the anti-Semitic remarks? They were made during Nash's 35-year struggle with schizophrenia—the subject of the film—during which he also believed himself to be, among other things, the emperor of Antarctica. La-La Land is now home to so many conspiracies that one rival even claims *Mind*'s own executives planted the story themselves, in hopes of winning a sympathy vote. Universal Pictures chairman Stacey Snider would later tell the *Hollywood Reporter*, "There's been a shocking absence of self-restraint." In Hollywood?

■ Like many other municipalities, the city of Providence, R.I., holds an annual Gay Pride parade. Last year the city's mayor ordered firemen to march in that parade. Some of the men objected, citing religious and other reasons, and are now threatening to sue the city—with the support, we are delighted to see, of the ACLU. Homosexual activists seem to have the utmost difficulty grasping the following rather elementary point: Tolerance is not the same thing as approval. While practically nobody wishes to—or, nowadays, would be permitted to—persecute or harass homosexuals, or to re-criminalize their private lives, disapproval of homosexuality is still very widespread. The fact that this disapproval is found in all times and places suggests that it has deep roots in human nature. Certainly it is endorsed in the teachings of all major religions. Homosexuals have fought—often bravely—for the tolerance of themselves and their fellow citizens, and for the repeal of laws against their private activities. That tolerance and those repeals have been won, to the general improvement of society. Not content with this, however, the activists are now demanding our *approval*. This is unlikely to be forthcoming. People like the mayor of Providence who seek to force it on their employees are taking up arms against human nature.

■ The long gray line celebrated its bicentennial on March 16, marking a two-century tradition of Duty, Honor, and Country. The illustrious West Point duty roster includes Generals Ulysses S. Grant, John J. Pershing, Dwight D. Eisenhower, Douglas MacArthur, George Patton, and Norman Schwarzkopf. In February, the war on terrorism claimed another graduate willing to make the ultimate sacrifice. Major Curtis D. Feistner, USMA 1994, lost his life in a helicopter crash in the Philippines. In marking the anniversary of the 1802 Act of Congress signed by President Jefferson, President Bush declared that graduates such as these "have marked our history with courage beyond the call of duty; integrity that brought honor to themselves, their school, and their Nation; and military skills that achieved victory after victory." Happy, happy birthday.

■ In these pages on February 25 we reported that scientists, having averaged all the radiation in the universe, had come

Too Much to Bear

The C.B.O., that fickle jade
Who signals when recessions fade
And—to the point I'm making—when
Surpluses build up once again,
Sees (pass a Kleenex to the Dems)
Surpluses rising; while ahems,
Catcalls and clearing of the throat
By right-wing teasers get their goat.

—W. H. von Dreele

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up with an overall color for creation, which we described as: "a rather fetching shade of pale greenish-turquoise." It now turns out that there was an error in their computer program. The true color is in fact a dull beige—the color of an office manila folder. We apologize to readers who had begun redecorating their property to bring it into line with the universe at large.

JUDGES

Pickering and Choosing

REPUBLICANS are in high dudgeon about the treatment of Judge Charles Pickering, whose nomination to an appeals court was defeated by ten Senate Democrats in a party-line vote of the Judiciary Committee. But Pickering was treated badly by both parties. Democrats made scurrilous attacks on him, and Republicans did not defend him until it was too late.

The Democrats themselves seem to be somewhat embarrassed by their tactics, as witness their efforts to squirm away from them. Sens. Charles Schumer and Patrick Leahy insist that nobody ever insinuated that Pickering was a racist. Of course not: When Terry McAuliffe said that President Bush was trying to "disenfranchise" black voters in Mississippi by nominating Pickering, it was all in good fun. Liberal columnist E. J. Dionne Jr. admits that "the anti-Pickering campaign did get ugly," but his spin is that Democrats ended up opposing him on defensible grounds—e.g., the fact that his decisions have been "so often reversed on appeal." Except that this fact is not a fact at all: Pickering's reversal rate is lower than the average in his circuit or in the nation.

Late in the day, liberals—notably Sen. Dianne Feinstein of California—also made the argument that Bush had no mandate and therefore should not be allowed to stack the courts with conservatives. (She also took the curious view that Pickering would be able to overturn *Roe* v. *Wade* from a circuit court of appeals.) The pattern of attack is the same one exhibited in the confirmation hearings for attorney general John Ashcroft last year: First, a few scattered decisions are used to portray the nominee as anti-black; once the poison has been released into the atmosphere, its very existence is denied.

The Democrats do not really believe that Pickering (or Ashcroft) is a racist, of course; in 1990, Pickering was unanimously approved for the district judgeship he now holds. But he was a target of convenience, being a white male Republican from Mississippi of a certain age, as Ashcroft was a target of convenience as a white male fundamentalist Christian. By voting down Pickering, Democrats handed the president (and Pickering's friend Trent Lott) a defeat; elicited donations for liberal interest groups; and sought to make the president think twice before nominating conservatives, or at least opponents of liberal orthodoxy on abortion, in the future.

The Democratic onslaught caught Republicans napping. The White House viewed Pickering as Lott's concern and intervened too late. Senate Republicans were little better, becoming engaged only when it was fairly clear Pickering was going down. Byron York's reporting for National Review Online did more to counter Democratic distortions than any of them did. Even now, they are focusing on procedural rather than substantive issues. They are quite right to chastise the Democrats for not allowing a full Senate vote on Pickering. But the more important point is the need for constitutionalist judges.

Bush should not bow to the Democrats' intimidation by refraining from nominating such judges. The Democrats' demand for "moderate" judges is in any case phony. The federal judiciary is still, on balance, an instrument of the Left. Moderate judges in the context of the liberal legal academy are those who overturn laws in favor of liberal whims only some of the time, and who allow previous acts of liberal usurpation from the bench to stand.

The public is neither enamored of liberal judges nor afraid of conservative ones. If the Democrats want to keep blocking the latter, Bush should call their obstruction to the attention of voters in the Senate races this fall.

IMMIGRATION

Border Wars

AN unhappy conjunction of events in mid March demonstrated both the folly of current immigration policy and the enthusiasm of the political establishment for it. On March 12, the House voted 275–137 to weaken laws against illegal immigration. The same day, it was disclosed that the INS had sent out student visas for Mohamed Atta and one of his terrorist confreres. Our existing border-security regime does not work, and Washington is more interested in exacerbating the problem than solving it.

Nevertheless, public sentiment for reform is rising. September 11 raised public fears about current lax enforcement at the borders. Even American Jews, who have traditionally embraced immigration wholeheartedly, are now leaning in a more restrictionist direction. An American Jewish Committee survey in 2000 found only 27 percent of Jews wanting immigration cut. The same survey, in late 2001, found 49 percent for reduction.

Yet instead of taking measures to reduce legal immigration and deport illegal immigrants, the House voted to make it possible for illegal immigrants to stay in the U.S. legally upon payment of a $1,000 fine for their lawbreaking. Even here, however, public opinion is making itself felt: A majority of House Republicans, defying the White House and their own leadership, voted against the bill.

For their pains, the rebel Republicans, and especially Colorado congressman Tom Tancredo, who rallied them, were condemned by the editors of the *Wall Street Journal*. The congressmen who voted against the bill were accused of "scapegoating our hard-working neighbors to the south" and "exploiting the terror attacks to advance their anti-

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immigrant agenda." As is often the case with people having a tantrum, the *Journal*'s editors were careless with facts. Twice, they suggested that the bill would help only aliens who came here legally but whose visas had expired. In fact, the bill covers not only people who overstayed their visas—which is, by the way, illegal—but people who had come in illegally from the start.

The *Journal* spends most of its time arguing that there is no connection between "immigrants who bus tables and those who hijack airplanes." They also note that Tancredo ignores that "Atta and the other hijackers had all entered the U.S. legally." (Wait a second—didn't the *Journal* say that the bill covered only legal immigrants? Wouldn't this point then tell against its position? Never mind.) As most people can readily comprehend, however, a border that a busboy can sneak past is one that an al-Qaeda terrorist can also sneak past, and a visa system that the one can flout can be flouted by the other. The fact that we are not serious about enforcing immigration laws is in any case a security problem in its own right, quite apart from its connection to terrorism.

The *Journal* then hauls out this lame argument: "Sending Mexicans away now with the intention of readmitting them later needlessly burdens already overworked U.S. consular officials whose time would be better spent tracking down more legitimate threats." Handing out green cards to illegal immigrants already here, of course, needlessly overburdens INS officials whose time would be better spent getting their act together. There is also an obvious solution to the difficulty the *Journal* conjures: Don't re-admit people who have already broken American laws.

DEFENSE

A Better Posture

THE debate over the Bush administration's Nuclear Posture Review has been hysterical even by the usual standards of any discussion involving the word "nuclear." The classified review was leaked on the eve of Dick Cheney's Middle East trip, in an obvious bid to embarrass the administration and wrong-foot it as it attempted to build international support for overthrowing Saddam Hussein. The press has been distinctly incurious about the source of the leak, eager to pound the administration for, in the words of the *New York Times*, wanting to make America "a nuclear rogue."

The label is rank moral equivalence of the sort that had not been heard much since the end of the Cold War. Which, in case you missed it, has been over for more than a decade. The administration's review takes account of this historic fact by contemplating a nuclear force cut by two-thirds and oriented less toward a Russian threat and more toward the one arising from rogue states. This means, as Richard Lowry pointed out in our last issue ("The Nukes We Need"), developing a new nuclear weapon designed not to destroy Moscow, but the deep bunkers—invulnerable to conventional weapons—that rogue states use to house command-and-control functions and weapons of mass destruction.

Targeting those installations doesn't make nuclear war more likely, as the *Times* would have it ("menacing to the security of future American generations"). Instead, it makes it *less* likely by potentially deterring rogue states from developing and using mass-destruction weapons (or, in an extreme circumstance, making it possible for us to preempt their use). This is Deterrence 101. The *Times* and other liberals liked it when it was called MAD. It is mystifying why they would now find targeting rogue-state weapons sites so problematic, when they were happy to target entire Russian cities during the Cold War.

Behind much of the criticism of the administration is the arms-control theory that if the U.S. sets an example by eschewing certain weapons and practices, then the rest of the world will follow. Would that it were so easy. The high-profile targets of the Nuclear Posture Review—Iran, Iraq, and North Korea—are all already signatories of the vaunted Nuclear Nonproliferation Treaty. They just aren't serious about abiding by it. This fact, inconvenient though it may be, cannot simply be ignored. And here is where the example of the U.S. is truly important. The U.S. can shape the international environment by forthrightly declaring certain practices unacceptable, and making it clear that it will prevent and punish them—with any weapon that may be necessary to the task.

This doesn't mean that the U.S. is joining the ranks of the rogues, but instead that it's finally serious about controlling them.

THE MIDDLE EAST

No Propitiation

JUST imagine that day after remorseless day Osama bin Laden were organizing suicide attacks against American targets. Just imagine that his propagandists were proclaiming that these attacks would stop only when bin Laden's demands were met in full. President Bush would have no trouble mobilizing the entire nation and employing whatever methods were required for self-defense.

Israel is in this predicament. Virtually every day, Yasser Arafat dispatches suicide bombers and gunmen to kill Israeli civilians, and in the Islamic mold he has taken to celebrating these fanaticized murderers as "heroic martyrs." Eighteen months ago he was offered peace on terms highly favorable to the Palestinians. Rejecting compromise, he has instead taken to the gun and the bomb, extending what has already been a 35-year career of murder and mayhem. Moreover, this strategy has paid off, because in one crunch after another the United States or the Europeans have lost their nerve, and pressured Israel to make concessions to Arafat, which he pockets without giving anything in return.

In the aftermath of September 11, the president recognized that the violence faced by Americans is like the violence

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faced by Israelis: Terror is one and indivisible. It was understood that the government of Ariel Sharon has no choice but to defend its citizens by whatever means are appropriate. These include large-scale military incursions into areas under Palestinian control, for the purpose of discovering arms caches and arresting, or even killing, whoever intends to use those arms. But as the next stage of the campaign against "the axis of evil" takes shape, the administration perceives a need to garner Arab support. At the expense of Israel, of course. So Gen. Zinni shuttles once more between the parties as though they were equivalent, and Bush announces that Israel's military measures are "not helpful."

How many times we have been here before, and how futilely! Once more, we are hastening to rescue Arafat from the consequences of his strategy of terror, rewarding instead of punishing. All he has to do in order to get what he wants, he may reasonably conclude, is double the number of suicide bombers. In which case, we shall all lose our nerve, pressure Israel into unconditional surrender, and Arafat's dream of a Palestine without Jews will come true. In addition, every Arab ruler is able to see for himself that the United States can be manipulated by violence into compromising its moral and political position. The rational ordering of the Middle East cannot be achieved by propitiating thugs and tyrants.

■ NOTES & ASIDES ■

■ Dear Mr. Buckley: This letter is a follow-up to my letters of Feb. 5 and Aug. 3, 2001, regarding your failure to use the possessive with gerunds. Since then I have found no such errors in NR—until the Jan. 28, 2002, issue, where I found two of them, both in your columns in "On the Right":

—"So we have to worry about the danger of Osama falling into British hands."

—"It was never the case of the night watchman being asleep when the thief walked in."

Please tell me that this was just a test to see if I was on my toes.

J. Peter Morris
Florence, Colo.

Dear Mr. Morris: You being right, I will reform.

Cordially, WFB

■ Dear Mr. Buckley: In *The Oxford Book of Days* for Jan. 9, it says (about the introduction of the income tax in Britain in 1799): "At that date one still spoke of 'the income tax,' in contrast to the modern 'income tax' constructed without the article as if it were a force of nature."

Don't you think we should bring that article back?

G. A. Redfern
New Brighton, Penn.

Dear Mr. Redfern: Indeed. Though I can think of other relevant introductory terms.

Cordially, WFB

■ Dear Mr. Buckley: Some time ago, on the question of "hanged" versus "hung," you offered the dubious example, "Frontier courts hung a lot of people without an extensive trial." I believe that sentence ought properly to read, "Frontier courts done hung lots of folks without hardly no trial a-tall."

John Robson
Ottawa, Canada

Dear Mr. Robson: We yield to your perfect ear.

Cordially, WFB

■ Dear Mr. Buckley: While writing a college paper about the Shakespeare authorship controversy, I came across a debate on the subject in which you served as moderator. Would you be kind enough to inform me (and perhaps other interested readers) which side you favor on this subject?

Also, allow me to express my appreciation for your hard work on your column, NATIONAL REVIEW, *Firing Line,* Oakes novels, etc. I have enjoyed them all. In fact, NR was the main factor in my initial discovery of politics in general and conservatism in particular. Before discovering NR, I read the local newspaper and *Time* magazine, and I shudder to think what may have happened if I hadn't noticed your magazine on the library shelf and picked it up and read it. I've subscribed ever since.

Eric Christ
Sun City, Ariz.

Dear Mr. Christ: That's *very* cheerful news. In re Shakespeare, it has to have been he, because who else would go about using the divine name?

Cordially, WFB

■ Dear Mr. Buckley: In reading *The New Yorker,* I have noticed a trend that I hope you can shed light on: Words such as "cooperation" and "coordinated" always appear with double dots or periods above the second "o," as if they were in German. What is this called? I recently received my degree in English. Please tell me this is an unusual practice, and that I didn't waste $100,000 on a degree that gave me no knowledge of this usage.

John W. Kovalsky
Fords, N.J.

Dear Mr. Kovalsky: Here's how Lazarus/MacLeish/Smith handle the point in *Modern English:* "**dieresis:** A mark placed over the second of two successive vowels to indicate that it is to be sounded separately. It has fallen from favor in American orthography, its function having been assumed by the hyphen." In such a word as "naïve" it serves a purpose, indicating that two syllables are to be pronounced; but "coöperate" has given way to "cooperate" or "cooperate." It is sometimes used in poetry to mark a sounded syllable that wouldn't be sounded in normal speech.

Cordially,

—WFB

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■ THE NATION ■

Hasta la Vista, Baby

Bush's Hispanic strategy comes unraveled

JOHN O'SULLIVAN

On March 12, two quite separate events combined to undermine the Bush administration's strategy for building a new GOP majority by winning Hispanic votes with such policies as an amnesty for illegal Mexican immigrants. The first event was the result of the Democratic primary in Texas, in which conservative millionaire Tony Sanchez handily defeated former attorney general Dan Morales with a campaign that stressed the rise of Hispanic power. The second was the near defeat in the House of Representatives of Section 245(i)—a measure to allow more than 200,000 illegal immigrants to remain in the U.S. while regularizing their status, rather than requiring them to return home to apply for U.S. entry from there.

The Texas primary strengthened the evidence that the Hispanic vote is drifting firmly into the Democratic camp—irrespective of the GOP's immigration policies. And the House vote signaled that in the aftermath of September 11 most Republicans want to tighten immigration policy rather than liberalize it. Together, they suggest that the Bush administration's Hispanic strategy is falling apart.

In particular, the House decision—in which the Republican leadership averted defeat by a single vote—established that the White House no longer has the Republican votes to push through its larger plans to amnesty 3 million illegal Mexican "guestworkers" as a favor to Mexico's President Fox. Not only did a clear majority of Republicans, including some close to the leadership, rally to the standard raised by Colorado representative Tom Tancredo in opposition to 245(i); but those who voted against it included all the Republicans (and some Democrats) who are considering a run for higher office this year, with the sole exception of New Hampshire representative John Sununu Jr. The measure achieved its narrow victory only with the support of congressmen like Lamar Smith of Texas and Judiciary Committee chairman James Sensenbrenner of Wisconsin, who generally favor tighter immigration controls and would almost certainly oppose the broader amnesty proposal.

By Roman Genn

The measure now faces an uncertain future in the Senate, where Robert Byrd of West Virginia has announced that he will prevent its passage under the "unanimous consent" provision that was its best hope of an early win. He expressed theatrical astonishment that the House and the White House should be so keen to pass "what amounts to an amnesty for hundreds of thousands of illegal aliens, many of whom have not undergone any background or security check." The politics of an immigration amnesty just got more perilous.

It may have helped the opponents of 245(i) that the previous week President Fox, in between eloquent appeals for a warm American welcome for Mexican immigrants, had handed back to Castro's secret police the handful of Cubans who had sought asylum in his own embassy. But that merely provided them with a nice secondary justification: Their main incentive was changing public opinion. Those Republicans with the most urgent reason for getting public opinion right—their own electoral interests—voted against the White House. One congressman, when taxed by a loyalist, gave his reason simply as "September 11th." Tancredo's immigration-reform caucus, which a year ago had a membership in the low teens, now boasts more than 60 adherents. And Robert Byrd has just reminded the GOP that even if the national Democratic party favors Hispanic immigration even more fervently than the White House does, local Democratic candidates may still flay them for a vote that seems to endorse and encourage illegal immigration.

The lesson for the White House is—or should be—clear: It can only pass the broader immigration amnesty it has been promoting over and against the votes of the majority of Republicans. That course will doubtless be urged upon it by some political analysts and pressure groups, citing the precedent of Clintonian "triangulation." That precedent, however, suffers from an obvious flaw: Clinton's triangulation meant supporting a welfare reform that was overwhelmingly popular with the American public, whereas illegal immigration is highly unpopular. Indeed, pollster John Zogby reports that 83 percent of Americans believe immigration laws are too lax. So the GOP majority would have public opinion on its side in resisting any move to make immigration easier. In which case the White House cannot deliver the goods on which its electoral outreach to Hispanics is based—and it would therefore be well advised to adopt a different strategy.

The good news from the Texas primary is that this may not matter very much, since the old strategy was doomed to fail anyway. It was based on a whole series of assumptions about Hispanic voters, each one of which was either plainly false or highly questionable: for instance, that Hispanic-Americans favor high levels of immigration. In fact, opinion polls clearly show that Hispanics differ only slightly from other Americans on immigration. A clear majority of Hispanics favor either the current or lower levels of immigration. Hispanic voters are swayed much more by the general policy stances of both parties than by immigration.

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Another questionable idea is that Hispanic voters are "natural Republicans" because of their conservatism on moral questions such as "gay marriage" or abortion. Sure, in a California referendum on gay marriage, Hispanics voted disproportionately against it. But Hispanics tend to be liberal on economic questions, and when it comes to voting and party identification, in the self-satisfied but accurate words of liberal California analyst Harold Meyerson (now of *The American Prospect*), "their economic progressivism has consistently trumped their moral conservatism."

Are Hispanics likely to become more Republican the longer they stay in the U.S., and the more they rise up the income scale? No. A study by political scientists James G. Gimpel and Karen Kaufmann showed that Hispanics became more Democratic the longer they stayed in the U.S., and though Republican identification did indeed rise with prosperity, the Democrats retained a 10-point lead even at the highest levels of income.

The Texas primary confirmed these gloomy results for the GOP even before the results were tabulated. Hispanics were 12 percent of the Texas electorate in 1998, and are expected to be 20 percent—the "tipping point" at which their rise will make Texas a Democratic-leaning state—within six years. As GOP pollster Matthew Dowd, a longtime booster of the Hispanic/amnesty strategy, conceded to Dan Balz of the *Washington Post*: "The question this year is whether the Sanchez campaign advances that [i.e., making Texas a competitive swing state rather than a reliably Republican one], compressing six years into six months." It might do so; Sanchez combined an ethnic appeal to Hispanics—objecting to his opponent's wish to answer questions in English and Spanish rather than solely in Spanish in a televised debate—with an economic appeal to moderate middle-class whites, calling for low taxes.

For that very reason, however, his looks like a transitional candidacy even if he wins in November. For as Hispanic voting strength grows, so it is likely to reflect in Texas the liberal economic voting patterns celebrated by Meyerson in California.

What lies behind this political drift in Texas? Exactly the same force that is pushing once-reliable GOP states like California and Florida into, first, the "undecided" and eventually the "Democratic" column: demographic change driven by immigration. The Hispanic share of the population has risen sharply in these major states in the last 30 years; the Hispanic share of the electorate is now catching up, as immigrants become citizens and register to vote; and their votes heavily favor the Democrats. What has happened in California and now Texas is destined to happen in all the states with large concentrations of Hispanic immigrants. This is not a political prediction; it is a mathematical relationship.

As the study by Gimpel and Kaufmann demonstrated, moreover, this drift will be very hard to reverse. Republican hopes for major gains in the Hispanic electorate are without foundation. Democrats lead the GOP by large margins in every Hispanic group except Cuban-Americans. There is no sign that any significant group of Latino voters is "in play." Because Hispanic voters lean to the Democrats on economic and social grounds, the GOP would have to change almost all its policies (on taxes, welfare, regulation, labor law) to have any hope of attracting Hispanic crossovers in the long term. Above all, insofar as there is a modest drift rightwards among Hispanics as they rise economically, that is more than canceled out by the fact that continuing immigration channels new, poor Hispanic voters into the Democratic ranks.

Of course, there are Hispanics—between one-quarter and one-third of the total Latino electorate—who loyally pull the Republican lever. But they are the very voters who are least likely to favor sectional appeals to a separate Hispanic identity, such as an amnesty for illegals, and most likely to respond to traditional Republican arguments for patriotic assimilation. In the post–9/11 atmosphere, other Hispanics might be won over to their side by a patriotic appeal of that kind. But unless the Bush administration wakes up to the electoral impact of continuing immigration, the most the GOP can hope for is to slow the pace of its decline. **NR**

■ **THE NATION II** ■

On the House . . .

of Saud, that is: The kingdom's spending in America

JOHN J. MILLER

THE rap trio Native Deen won't climb to the top of the Billboard charts anytime soon, but you may be able to catch them providing "clean wholesome Islamic entertainment" (as their website puts it) at weddings, fundraisers, and other events. The performers don't dance, and they refuse to use instruments other than drums ("out of respect for the difference of opinion about the use of musical instruments in Islam"). But a good time, apparently, is guaranteed for all.

Even in an age of niche media, Wahhabi rap is about as narrow-brow as it gets, and its very existence demonstrates the distressingly large influence Saudi Arabia has had on the development of Islam in the United States. Worldwide, Islam is a grand and ramified religion that is no less diverse than Christianity; but Saudi Arabia's particular form of Islam, known as Wahhabism, happens to be that religion's most severe and anti-Western strain. The Saudis are committed to Wahhabism, the animating theology of Osama bin Laden, and for the last two decades they have steadily and purposefully built a network of institutions to increase what might be called the Wahhabi market share among American Muslims. It's a contest that the United States has a clear interest in seeing the Saudis lose.

Saudis spending money in the U.S. is, of course, nothing new. They're famous for making massive gifts to American universities, especially to establish and support Middle Eastern Studies programs. There's a King Abdulaziz Chair for Islamic Studies at the University of California and a King Fahd Chair for Islamic Shariah Studies at Harvard Law School. Sometimes these gifts have an overt political purpose: After Bill Clinton

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won the Democratic nomination in 1992, for example, the University of Arkansas received a $20 million bequest from the Saudi government for its Middle Eastern Studies center. At other times the Saudis' motives have been murkier. Two years ago, the King Faisal Foundation's international scholarship competition honored Harvard biologist E. O. Wilson and the Human Genome Project's John Craig Venter for their scientific accomplishments, as well as an Egyptian university for "confronting trends of Westernization."

The Saudis also purchase influence in more conventional ways, by keeping several D.C. lobbyists on six-figure retainers, hiring others as needed, and handing out money to sympathetic policy groups. (The Council on American Islamic Relations is having a new headquarters underwritten by the Saudis.) Saudi ambassador Prince Bandar is called "the dean of Embassy Row" because he's represented his country in Washington longer than any other diplomat, and he's good at what he does.

All of these activities are more or less public: Saudi lobbyists must register as foreign agents with the Justice Department. Activity on behalf of Wahhabism, however, is much better hidden—and far more important. "We know it's something like $100 million over the last ten years or so," says one expert on Islam. That's $100 million on the construction of mosques and schools, the translation and distribution of Korans, and the training of imams—funneled through a web of governmental and private charities, almost none of it showing up in any public record, and virtually all of it aimed at promoting Wahhabism. This network's potential for sinister radicalism recently came to light in Bosnia, where U.S. troops—raiding a Saudi "charity"—seized photos of American military facilities and literature on crop-duster planes.

There's a dispute over how many Muslims actually live in the U.S., with estimates ranging between 2 million and 7 million. It's even less clear how many attend a mosque affected by Wahhabi doctrine. Muhammad al-Alahmari of the Islamic Assembly of North America has said that half of the mosques and Islamic schools in the U.S. were built with the help of Saudi money, a sure sign of Wahhabi influence. Another expert says that one-third of the country's approximately 1,200 mosques follow Wahhabi teachings.

Whatever the actual figures, a significant number of American Muslims now subscribe to Wahhabi doctrine—the same set of beliefs that has had such a fatal influence on madrassas in Afghanistan, Pakistan, and elsewhere. "The Saudis are very aggressive when it comes to promoting their ideas in the United States," says Ali Asani, a religion professor at Harvard. "They have a big propaganda machine." It works so well, in fact, that many Muslims who are exposed to Wahhabism don't even know it. That's because Wahhabis never refer to themselves as such. Instead, they speak of a "true Islam" or a "pure Islam," as if their version of the faith would be anything

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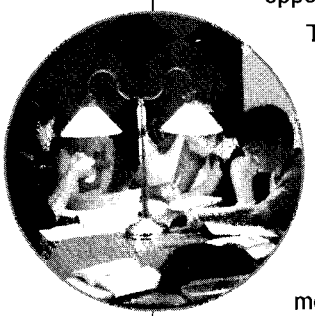

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other than an exotic offshoot in the absence of massive Saudi oil wealth. Yet they write off any Muslim who doesn't subscribe to their interpretation of the Koran and their wholesale rejection of the intellectual heritage that has grown up around Islam.

Saudi money poured into mosques, schools, and cultural centers comes with lots of strings attached. "You can hardly go anywhere in the United States without meeting people who will complain bitterly of a fight they've had or a mosque that's been taken over by the Wahhabis," says one Muslim who's been involved in many such battles. Saudis who bankroll mosques may try to dictate architectural decisions, steering designers away from beautiful Ottoman traditions and toward a bleak aesthetic that supposedly focuses the mind on God. Sometimes they try to force a congregation of Muslims to accept a particular imam who has been trained in Wahhabism. Alternatively, they'll offer a scholarship to a young man in the community. He packs off to Saudi Arabia for a year or two of study, where he's indoctrinated in Wahhabi theology, and returns as a radical. In addition, Saudi universities, which are a mainstay of the Wahhabi movement, will fax sermons to imams in the U.S. They are then dutifully read to worshippers. "You can't even trust their translations of the Koran," says one author. "They are deliberately mendacious."

For the Wahhabis, every aspect of the faith is an instrument of doctrinal control, including the Hajj—the pilgrimage to Mecca that faithful Muslims are expected to make at least once in their lifetimes, if they are able. Ordinary Muslims feel a deep emotional attachment to this part of their spiritual lives, and it is more meaningful to them than a trip to St. Peter's is to a typical Roman Catholic. Yet the Saudis restrict access to Mecca, often refusing to grant the necessary travel visas to American Muslims who don't have Wahhabi ties. When Muslims express frustration at this, the Saudis essentially deny what they're doing and claim it's all in the interests of security. Mecca, after all, has been taken over by guerrilla forces in recent memory, to the tremendous embarrassment of its caretakers. What they're really doing, however, is enforcing Wahhabi orthodoxy.

American Muslims have proven themselves to be abnormally susceptible to Wahhabism, for a couple of reasons. First, U.S. Muslims are largely an immigrant community; because Islam has not had much of an institutional presence in this country until recently, they are more dependent on clergymen from abroad than, say, the Italian immigrants of the Ellis Island era or the Mexican newcomers of today. The Muslims' current position is not entirely different from that of the Irish Catholic immigrants of the mid 19th century, who had to import priests for many years before there were a sufficient number of native-born vocations. As a result, Saudi-trained Wahhabi imams have a booming job market in the U.S.

The other chief attraction of Wahhabism is its stripped-down theology, which has a special appeal for converts (who make up perhaps one-third of all American Muslims). By tossing out centuries-old traditions and elevating the importance of a single text, the Wahhabis make their form of faith more accessible to people who haven't been part of a lifelong cultural fermentation.

No matter what the reasons, Wahhabism is now leaving an indelible stamp on American Islam, from the schools that train the men who become Islamic military chaplains to the prison outreach programs that have been a successful vehicle of conversion. The Wahhabi influence is so great that it has trickled down all the way to minor rap groups that refuse to use musical instruments, because musical instruments (with the exception of drums) are anathema to the austere Wahhabis.

Financial experts say that Saudis hold as much as $1 trillion in banks outside the Middle East. Barring some fundamental shift in Saudi culture, much of this money ultimately will be deployed toward Wahhabi projects, creating a massive endowment for Islamic extremism around the globe—and right here at home. **NR**

■ **TURTLE BAY** ■

Our Girl at the U.N.

Something new blows through the halls

KATE O'BEIRNE

The United Nations

THE first meeting of the 46th session of the U.N. Commission on the Status of Women opened on March 4 with its first-ever election of a man—Tunisia's Othman Jerandi—as "chairperson." I had just arrived for my two-week stint as a U.S. delegate to the commission, and I figured that this crossing of the gender divide meant that my multilingual militant sisters had turned soft on men. Over the coming days, I was to learn the sadder truth: The feminist agenda has been so wildly successful at the U.N., with "gender mainstreaming" now all the rage, that real hostility emerges only when it's time to block some U.S. proposal. The U.N. prides itself on its organizing principle of "consensus," but delights in defining this term to mean ideas embraced by everyone but the U.N.'s single largest benefactor.

This year's delegation, which was led by conservative stalwart Ellen Sauerbrey (twice the GOP nominee for governor of Maryland) and included Nancy Pfotenhauer of the Independent Women's Forum and Winsome Packer, formerly of the Heritage Foundation, clearly signaled that there had been a change in management at the State Department: We've come a long way from Beijing, baby. Hillary Clinton is no longer running the international sisterhood show. Over the years, conservative pro-family non-governmental organizations (NGOs) have tirelessly patrolled the U.N., on guard against the establishment of "international rights" to engage in behaviors that most parents have nightmares over. They expect that the U.S. delegations will now be composed of their allies; feeling like the new girls at

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a peculiar kind of high school, we were grateful for their friendly faces.

The commission met in a large conference room in the basement of the U.N., far from the carpeted grandeur of the Security Council and General Assembly. The linoleum floors, pale green walls, snack bar, and bulletin boards littered with flyers on available activities (e.g., a panel discussion on "Getting Reproductive Health Results through Microcredit Interventions in Cost-effective Ways: Evidence from the Field") contributed to the U.N. High atmosphere. The multilingual conversations, espresso, Pellegrino, tiramisù, and laissez-faire policy on smoking evidenced a disproportionate number of foreign-exchange students. But that old dynamic was present: In this case, there were popular girls, and then there were the Americans.

As our class assignment, we were to tackle two themes in this annual session and reach "agreed conclusions" on them. The first week was devoted to listening to "inputs" from experts about "eradicating poverty, including through the empowerment of women throughout their life cycle in a globalizing world" and "environmental management and mitigation of natural disasters: a gender perspective." Owing to Ellen Sauerbrey's terrific "intervention" in response to one of the expert panels, we were quickly on the receiving end of "inputs" from Clinton-friendly NGOs that were less than pleased with the composition of the new U.S. delegation. Following one expert's assertion that "poverty does not just happen," Sauerbrey pointed out that "prosperity is not an accident" either: Its prerequisites include respect for human rights, the rule of law, property rights, and democratic governments. Later that day, a couple of dozen earnest older women representing liberal NGOs dragged their heavy canvas bags stuffed with reports, brochures, and meeting alerts ("We Are Pleased To Inform You That We Have Successfully Secured Space For a Linkage Caucus!!") across the street to the Church Center to scold the U.S. delegation. One woman complained that Sauerbrey had prompted "gasps" in the gallery, because her remarks were "quite arrogant and quite a put-down to other countries." Three days into our diplomatic gig, we were beginning to appreciate the demands of international comity.

But we had an agenda to put forward. Our U.S. resolution had to do with the "Situation of Women and Girls in Afghanistan"; during the second week we hosted lengthy "informals" on a daily basis so other delegations could modify our draft in order to reach the all-important "consensus." Our straightforward two-and-a-half-page draft, simply encouraging the Interim and Transitional Authorities to address the rights and needs of women and girls, grew to eight pages of specific prescriptive advice from our "negotiating partners." For example—in a country, remember, where housing and food are scarce and only 5 percent of women are literate—all government ministries were instructed to "develop their capacity to mainstream a gender perspective into their programs."

Hydrogen Peroxide Can Heal What?

(SPECIAL) – Medical science has discovered that hydrogen peroxide is more than just a disinfectant, it's an amazing healer. Many doctors are using hydrogen peroxide to treat a wide variety of serious ailments such as: **heart problems, clogged arteries, chest pain, allergies, asthma, migraine headaches, vascular headaches, cluster headaches, yeast infections, type II diabetes, emphysema, chronic pain syndromes, and more.**

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At every session, the European Union—represented by Paloma, a clever and charming young delegate from Spain—had further modifications, all immediately echoed by a non-EU delegate from Canada, Switzerland, or Australia, who was eager to be aligned with the popular girls. All of these serious young women were veteran delegates, some from their country's "Women's Ministry," who could cite chapter and verse from an intimidating number of previous U.N. documents to bolster the case that accepted U.N. doctrine and procedure must be strictly followed.

As the days dragged on with no agreement in sight, a call from the U.S. mission to the Spanish delegates, urging cooperation, was met with that recognizable European shrug and a sincere protestation: "But we're only one country among many" (which are anonymous and unaccountable). That afternoon's negotiating session was attended by a more conciliatory EU, and, for the first time, a forceful young woman from Chile—who promptly took up the EU's positions. With about 190 countries attending the commission meeting, we immediately realized that there was a depressing supply of delegations the EU could hand off to, given the clearly shared goal of frustrating the U.S.'s simple desire to express support for the women of Afghanistan.

Ultimately, Sauerbrey's good humor and flexibility were no match for the determination of the EU to hand us a defeat. At the U.N., the EU is a voting bloc to contend with: At this small outpost on the East River, the EU is powerful enough to thwart the U.S., and so it does. By the time this session of the commission ended with a whimper, it was clear that the U.S., and only the U.S., had been negotiating in good faith.

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Thirty-eight green lights appeared, with a single lonely red light next to the U.S. It was a proud moment.

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From the outset, our delegation made it clear that the resolution could not dictate that Afghanistan ratify the Convention on the Elimination of All Forms of Discrimination Against Women—which it, like the U.S., has signed but not ratified. Longstanding U.S. policy holds that it is inappropriate for the U.N. to pressure sovereign countries to join international conventions. The U.S. draft, therefore, urged Afghanistan to "consider" ratifying the convention; and those who see this as a distinction without much difference haven't spent time in U.N.-land.

The U.S. has so few bottom lines that I was very glad to defend this one; all the more so because the obvious intent of our opponents was to stick it to the U.S. over our own refusal to ratify the treaty. After days of negotiations that added pages to the resolution, in the final hour of the final session, the EU caucused in a back room and Paloma emerged to explain regretfully that the EU would have to amend our resolution on the floor to delete the word "consider." The U.S. delegation opted to let the clock run out, rather than permit the amendment.

In the end, there was only one roll-call vote: It was on that hardy U.N. perennial, the condemnation of Israel (in this case, it was in the context of a resolution on Palestinian women). A wall of curtains that had remained closed all week was opened to reveal a huge voting scorecard listing 190 countries, from Afghanistan to Zimbabwe. Member countries of the commission registered their votes from their assigned seats, and within two minutes the vote was "locked": Thirty-eight green lights appeared, with a single lonely red light next to the United States. It was a proud moment.

We didn't fare much better when it came to "agreed conclusions" on the assigned themes of the two-week session. The large multilingual commission spent long days editing the conclusions, word by word. White earpieces offered a simultaneous translation of every syllable of debate, so, for example, one didn't miss any of the 40-minute dialogue about whether "create" or "develop" was the proper opener for a paragraph on sustainable development. It was an ordeal appropriate to the Lenten season.

Sauerbrey's modest proposal to add a brief word about the importance of such preconditions as individual liberty and core labor standards to the lengthy and repetitive document on eradicating poverty was quickly shot down. Both the EU and the so-called "G-77 and China" (which actually represents about 124 developing countries) immediately objected because they preferred a document that was "short, concise, and action-oriented." In typical U.N. style, there was no debate on the merits: The system prefers to continue repeating "agreed language" from previous documents, rather than engage any new ideas. After eight years of the compliant, multilaterally inclined Clinton administration, reports and agreed conclusions are chock-full of obnoxious language about a boatload of new international "rights" and assaults on nations' sovereignty.

As a result of recent U.N. budget cuts, no evening or weekend sessions are permitted, and midway through the second week a rumor held that a slowdown was underway to protest the cutbacks. I was on the alert for signs of the protest, but a slowdown of the tedious work of U.N. delegations is very difficult to spot. But, ultimately, the clock did run out. At 6 P.M. on the final Friday, the translators had to be let go, and the microphones turned off. The commission had reached a consensus [*sic*] on "agreed conclusions," attacked Israel, and passed all resolutions except the American one. All in all, a happy result for our friends at the U.N. **NR**

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—Anita Dunn, Partner, Democratic media consulting firm Squier Knapp Dunn, and adviser to Senate Majority Leader Tom Daschle.

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■ ABROAD ■

Indian War Drums

Rushdie, Naipaul, and the Subcontinent's challenge

DAVID PRYCE-JONES

LIKE most British writers, I willingly contributed to the fund to defend Salman Rushdie when Ayatollah Khomeini issued his notorious *fatwa* against him. But as I read *The Satanic Verses*, its so-called "magic realism" struck me as a cop-out from the writer's primary task of getting at the truth of life as it is. Rushdie, I understood, is another spoiled British leftie, determined to attack the privileges he enjoys. It was disappointing that even with the round-the-clock protection provided by Mrs. Thatcher he did not have the courage to tell the Muslim fundamentalists to go to hell, but instead made a point of abasing himself with public assurances that he was a good Muslim. The principle, however, stood firm—that though one might have disagreed with him, one had to defend to the limit his right to say what he had to say.

On September 11, a previously submerged campaign of Muslim terrorism against the West—and by extension free thinking everywhere—came out into the open. The campaign will have profound and long-lasting ramifications in many countries of the world, bedeviling relations between Muslims and their neighbors. India is especially vulnerable, as it has some 140 million Muslims, about the same as the entire population of Pakistan. Pakistan-backed terrorists last December attacked the Indian parliament, killing security guards and almost setting off a full-scale war. As it is, a million men are mobilized along the India-Pakistan border, with nuclear weapons in reserve. There seems no obvious way to stand these armies down. The immediate hope is to ward off war and communal massacres of a type frequently experienced since the British left India.

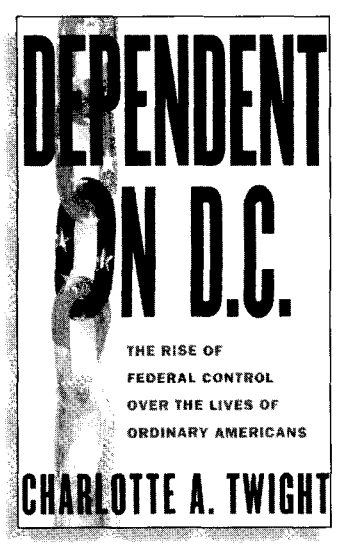
But in this fraught context, in an op-ed piece for the *Washington Post* about the current tensions in India, Rushdie claims that Hindu fundamentalism is out to destroy that country's secular democracy. He goes on to say that the writer V. S. Naipaul, "speaking in India just a week before the violence erupted, denounced India's Muslims en masse and praised the nationalist movement." Thus, in Rushdie's eyes, "Naipaul makes himself a fellow traveler of fascism and disgraces the Nobel award."

Literary London is a small city. It so happens that recently I sat next to a publisher who had invited Rushdie to lunch last October. On the very morning of that lunch, the news broke that the Nobel prize had been awarded to Naipaul. A dejected and angry Rushdie, the publisher told me, spent the meal railing against Naipaul, and bemoaning that he himself would now not be receiving the Nobel for ten more years. It further happens that in the month of February Naipaul and I were together in India for an international conference on the subject of contemporary Indian writing. As the recent Nobel winner, Naipaul was the star of the occasion. It may add to Rushdie's sour grapes to learn that there was no mention of him or his work at the conference. I was surprised by this, and said so—to be told that Rushdie was not considered of much interest.

For almost three weeks I was in the uninterrupted daily company of Naipaul. After the conference in Delhi, we did a tour together, to famous sites both Muslim and Hindu. The conference received an unimaginable amount of publicity. With hype at the Hollywood level, Naipaul was obliged everywhere and all the time to sign copies of his books, to autograph any available sheet of paper, and to run the gauntlet of photographers. On one day, at Neemrana, a

Mr. Pryce-Jones, an NR senior editor, is the author of, among many other books, *The Closed Circle: An Interpretation of the Arabs*, recently republished by Ivan R. Dee.

Dependent on D.C.



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couple of hours outside Delhi, over a hundred journalists turned up to hear him. His least doings and sayings filled the columns of the newspapers. Had he ever denounced India's Muslims "en masse" or associated himself with Hindu fundamentalism, it would have been very big news.

A novelist through and through, Naipaul is interested in stories rather than politics. For him, narrative is the key to behavior. But narrative is a tricky business. People think that they have an identity or a past, and will explain sincerely who they think they are. But for all sorts of reasons having to do with culture or the lack of it, most people accept the simple narrative about themselves that they have picked up from those around them, and often it is too simple to be true. Look for the story behind the story, Naipaul kept repeating, and then you'll understand India.

The story that most Indians believe about themselves is that one fine day British imperialists occupied the country, exploited it, and bled it dry. The nationalist movement then threw them out and restored national integrity and pride. At Neemrana, a grand Indian lady with impeccable nationalist credentials was putting forth this view to the assembled conference, when Naipaul cut her off in mid-sentence. This story, he told her summarily, had lost whatever purpose or authenticity it might have had. Look at India, its democracy, its rule of law, the supremacy of the English language, the way the whole shaky subcontinent survives against all the odds—and you will understand that the British did Indians the favor of bringing them into the modern world on equal terms. India's great achievements, then, are at least in part Britain's. So much for Hindu fundamentalism. Needless to say, Naipaul's opinion sparked a storm of press comment, some of it warm, some of it hostile. One editorialist compared him to P. G. Wodehouse.

Behind the nationalist anti-British story is quite another story, which Naipaul has been carefully elaborating in his books about India and the Muslim world. The British were able to conquer and rule India so easily only because the country and its Hindu religion and culture had been so thoroughly destroyed by the historic Muslim invaders. The architecture and stone carving of the ancient Hindu temples at Khajuraho are evidence of the high civilization lost. The astonishing Taj Mahal, and Fatehpur Sikri and other mosques, are built on the sites of Hindu temples deliberately pulled down to make way for these monuments of Islamic triumphalism. These works are great too, but the money to pay for them was wrung out of the Hindu peasantry, who have remained poverty-stricken ever since. That was true colonialism, which first the British and then Hindu Indians have had to remedy. To say so is not to denounce India's Muslims en masse, or to be a fascist fellow-traveler, but to provide the narrative and make the historical point.

V. S. Naipaul by Roman Genn

The closing moments of the literary conference were shattered by the reports of an atrocity. At a small town called Godhra in the state of Gujurat, Muslim extremists had stopped a train carrying Hindus wishing to rebuild a temple on a contested site, and they locked and then burnt out the train's carriages, to leave 58 dead. Carefully planned and executed, the attack may well have had the purpose of setting the whole country ablaze. Retaliation was swift, and the police response slow. Hindus burnt out Muslim houses and shops, to leave about 700 dead in Gujurat and the neighboring state of Uttar Pradesh. Given the timing and the provocation, it could have been much worse.

A dozen Hindu-nationalist leaders requested a meeting in our hotel with Naipaul. Among them were members of parliament, professors, several journalists, all polite and quiet-spoken men. They saw themselves, they declared, as a post-independence generation. They said they were able to enter five-star hotels without embarrassment. They wanted to assert their Hindu identity and resented the way that secular opinion-makers patronized them and deprecated Hindu culture.

When Naipaul questioned the meaning of "assertion," they denied that it had anything to do with aggression, presenting themselves as men of peace according to Hindu principles. I may have spoken more than Naipaul did, for instance twice asking what role these men envisaged for Muslims in India. They answered with unsatisfactorily vague generalities. In a separate interview with one member of this delegation, the editor Seshadri Chari, I was no more successful, unable to stop him from trying to make me understand some essential concept of *dharma*—which, as far as I could gather, is a conglomeration of values that holds everything together. There are Hindu fanatics, of course, and perhaps behind our backs these leaders secretly pick up the telephone to activate them, but there is no way of telling. The delegation went away with nothing from Naipaul except a stack of signed books and plenty of posed photographs.

Anti-American animus from the Cold War survives in some diehard circles in India, accustomed down the years to Soviet patronage. A columnist in the *Times of India*, for instance, can still write, "America loves war, so long as other people are the victims." But September 11 has brought about the much broader public perception that the United States has a coincidence of interest with India when it comes to waging the campaign against Islamic terrorism. Look at the story behind Rushdie's story: His talk of fascism in this context is absurd, and all it does is help the sort of Muslim extremists who once condemned him to death. That's magic realism for you. **NR**

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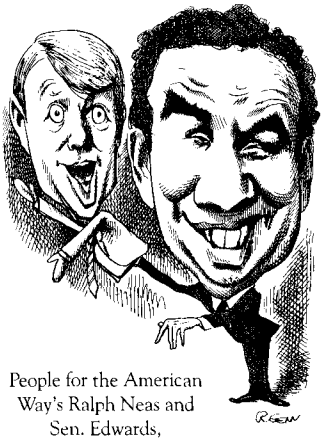
Strange Justice

The liberal coalition that killed the Pickering nomination

BYRON YORK

LATE in the afternoon on Thursday, March 14, in a crowded hallway in the Dirksen Senate Office Building, Bruce Cohen, a top aide to Senate Judiciary Committee chairman Patrick Leahy, warmly greeted Elizabeth Cavendish, the legal director and general counsel of the National Abortion Rights Action League. "Thank you," said Cohen. "No, thank *you!*" said Cavendish, smiling and grasping Cohen's hand.

The cause of the smiling and thanking was the defeat, just minutes earlier, of the nomination of Charles Pickering to a place on the Fifth Circuit Court of Appeals. The committee's narrow Democratic majority, led by Leahy, killed the nomination on a 10–9 party-line vote. What made the exchange between Cohen and Cavendish noteworthy was that a good deal of the debate leading up to the vote had concerned the role that liberal groups such as NARAL, People for the American Way, NOW, the Alliance for Justice, and the Leadership Conference on Civil Rights were playing in the opposition to the Pickering nomination.



People for the American Way's Ralph Neas and Sen. Edwards, by Roman Genn

Republicans charged that the groups—which have formed a coalition to oppose Bush nominees—were working in close coordination with committee Democrats. "Judge Pickering has been viciously attacked by outside, left-wing, liberal groups," said Iowa Republican Charles Grassley, "and unfortunately, the Democratic party has been more than willing to do the bidding of these groups, here in the Senate, to oppose Judge Pickering."

It's a charge Republicans have made for years, at least since the days of the Robert Bork and Clarence Thomas confirmation battles. But for all their anger—and there was plenty in the room during the Pickering vote—Republicans have never really offered much evidence to support their allegations. Yes, groups in the coalition are powerful and well funded—People for the American Way's budget dwarfs those of the groups that tried to defend Pickering—but do they really exercise inordinate influence on the Democratic senators who cast votes on the Judiciary Committee? It's a question that is impossible to answer definitively—no senator would admit that he follows the coalition's lead—but a close look at events during the Pickering battle suggests that the groups did indeed work in particularly close collaboration with Democrats. Coalition members, especially People for the American Way, did much of the groundwork for the case against Pickering, acting as the de facto research arm of the committee's Democratic majority. More important, Democrats seemed unusually responsive to the coalition's concerns; throughout the confirmation fight, Leahy's actions, along with those of many of his colleagues, closely tracked demands made by the coalition.

In one instance, Democrats announced plans to hold a rare second hearing for Pickering almost immediately after the coalition demanded that they do so (and at a time when there was no grassroots outcry to delay the nomination or to give it unusually close scrutiny). In another instance, Democrats abandoned tentative plans to move ahead on Pickering's confirmation after the groups demanded the nomination be delayed again to allow them more time to delve into Pickering's record. And in yet a third instance, Democrats, when questioning Pickering, appear to have relied extensively on documents gathered by People for the American Way rather than the committee's own researchers.

Together, the coalition and their Democratic allies mounted an extraordinarily effective campaign against Pickering. While that fight is now over, the groups are preparing for bigger battles to come. Taking a detailed look at the coalition's involvement in the Pickering nomination provides a preview of what will happen in the coming confirmation conflicts over some of President Bush's most anticipated appellate-court nominees—as well as what is expected to be the biggest fight of all, the battle over the next justice named to the Supreme Court.

ACTIVATING THE 'ACTIVIST NETWORK'

President Bush nominated Pickering on May 25, 2001, making him among the administration's earliest choices for the federal bench. Pickering, who had served eleven years on the U.S. District Court in Mississippi, quickly completed his Senate questionnaire and FBI background check, and by July 23, 2001, the American Bar Association finished its detailed evaluation of his time on the bench, giving him its highest rating: "well qualified." Republicans had hoped that Leahy would hold a confirmation hearing for Pickering before the August recess, but none was scheduled. After Congress returned to work, the events of September 11 led to more delays. Finally, a hearing was set for October 18.

The nomination received almost no media attention; the

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papers were filled with news of the war on terrorism and, in the days before the hearing, the anthrax scare on Capitol Hill. But away from the headlines, People for the American Way had begun a campaign against the nomination. On October 15, the group sent out an urgent e-mail to its "activist network" headlined "CONTROVERSIAL HEARING SHOULD BE POSTPONED OR EXTENDED." The e-mail said that "serious questions have been raised about [Pickering's] record on civil rights and reproductive choice." It said Pickering had "hundreds of published and unpublished opinions that should be reviewed," and that a hearing on October 18 would "make it difficult to fully research Judge Pickering's complete record." The e-mail urged liberal activists to get in touch with committee senators to "demand that Judge Pickering's hearing be postponed or extended to a second session."

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Away from the headlines, People for the American Way began a campaign against the Pickering nomination.

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Second hearings for judicial nominees are highly unusual, though not unprecedented. What was perhaps more unusual was for a group to suggest a second hearing before a first had been held. But the day after the People for the American Way e-mail, Leahy's staff laid the groundwork for a second session by asking Pickering to provide a list of all of his unpublished opinions as quickly as possible. The judge was astonished; his nomination had been announced nearly five months earlier, and Democrats had waited until two days before the confirmation hearing to make such a far-reaching request. Pickering responded that he had written opinions in about 1,100 cases—of which only about 95 were published—and could not possibly get them all together in two days.

The issue of unpublished opinions caught Republicans unaware. Judges decide when to publish their opinions; court guidelines suggest that judges like Pickering, whose cases do not often set legal precedents, limit the amount of opinions they publish to cases that either explore new legal ground or are particularly interesting in some way. That Pickering would publish 95 opinions in more than a decade on the bench seemed normal to his Republican supporters. The number was actually higher than that of some of President Clinton's nominees who had been confirmed to the U.S. circuit courts (one of them published 49 opinions in six years on the district court; another published 109 opinions in 14 years on the bench; a third published 76 cases in 16 years). Democrats had not raised objections then, but in Pickering's case Leahy wanted a list of everything. Pickering sent as much as he could to Leahy the next day, October 17.

On the 18th, the hearing was presided over by New York Democrat Charles Schumer, who had made news a few months earlier when he held a series of hearings designed to explore a new standard for evaluating judicial nominees on the basis of their ideology, regardless of their qualifications for the bench. The first issue Schumer brought up with Pickering was the unpublished opinions: "My opinion is 95 is a little too few to choose somebody for the court of appeals." Schumer told Pickering that he and Leahy had decided that there would be a second hearing, after a review of the unpublished opinions.

Republicans were dumbstruck. They had not seen the People for the American Way e-mail and did not know that Leahy and Schumer were even considering a second hearing, much less that they had agreed on one. Schumer's announcement was clearly an ominous development for Pickering, but at the time most Republicans did not believe Democrats intended to kill the nomination. "I just assumed that they were gonna beat him up a little bit for the outside groups," says one top aide.

After the first hearing, Democrats ratcheted up their requests for Pickering's unpublished opinions. First Leahy had asked for a *list* of all the opinions. Then, immediately after the hearing, he asked for the opinions themselves in cases involving abortion, the Voting Rights Act, the Fair Housing Act, equal protection, and a few other issues. Leahy later asked Pickering for unpublished opinions on cases involving the Violence Against Women Act, the Fourth Amendment, and the Eleventh Amendment. Finally, in a November 13 letter, Leahy asked for *all* of Pickering's unpublished opinions.

At that point, it would have been reasonable for Republicans to go into full emergency mode; but they still believed there was reason to remain cautiously confident that Pickering would be confirmed. During November and December, minority leader (and Pickering friend) Trent Lott spoke with Leahy on more than one occasion about the nomination, and, according to two key aides, Democrats gave Republican leaders reason to believe that Pickering would be approved before the Senate went home for its year-end recess.

But the coalition had other plans. On December 6, leaders of the Ms. Foundation for Women held a conference call with some other coalition leaders, including representatives from the Alliance for Justice, a close ally of People for the American Way. According to notes made of the call, an Alliance official told the group:

> There will be a MAJOR fight in January over Charles Pickering . . . He has a troubling record on civil and reproductive rights. He wrote [the decision] to preserve the state senate as all-white. All integrated marriages are illegal. Wants to ban abortion. Has a record he wants to hide—he does not have a lot of published opinions . . . We can win on that fight, but it will be nasty and contentious.

When one highly placed GOP staffer heard about the conference call, he phoned a Leahy aide to see what was going on. Something had changed; this time, there was no talk of confirmation. "At that point, alarm bells are going off," recalls the staffer. "They're talking about going to jihad, and they haven't read the opinions yet."

As the days ticked down to the Senate's adjournment, Republicans realized there would be no quick second hearing, and no vote on Pickering before Congress went home for the holidays. What the GOP did not know was that while Democrats on the Judiciary Committee focused on the unpublished opinions—and found little to use against the judge—researchers for People for the American Way were preparing to take the Pickering fight in a new direction.

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DIALING FOR DOCUMENTS

Margaret Kinchen is the court reporter for the U.S. District Court for the Southern District of Mississippi, located in Hattiesburg. She handles requests for things like transcripts of trials, sentencing hearings, and other court proceedings. They are public documents, but anyone who wants to see them or get copies of them has to go through Kinchen to do it. She keeps records of who requests what.

On December 19, Judith Schaeffer, deputy legal director for People for the American Way, called Kinchen to request transcripts from two sentencing hearings in a celebrated Mississippi murder case tried in Pickering's courtroom. "She wanted them as fast as she could get them," recalls Kinchen, who e-mailed the documents to Schaeffer the same day.

When Kinchen returned to her office the day after New Year's, there was a message from Schaeffer wanting more transcripts. Then there were calls on January 7 and January 8: requests for still more transcripts, most of them involving sentencing hearings presided over by Pickering. On January 11, Schaeffer called again, wanting yet another transcript. Kinchen says the requests from People for the American Way were, up to that point, the only inquiries she received for Pickering-related documents—"They were the only group that asked," she says. Although one might have expected committee Democrats to request documents, given the intensity of their interest in Pickering's record, Kinchen says she did not receive any inquiries from them.

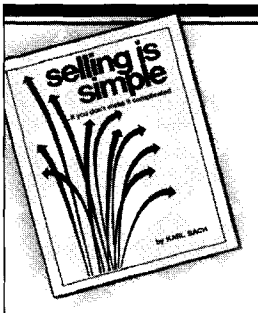
On January 24, People for the American Way president Ralph Neas held a press conference in Washington to release the group's report on Pickering's record. Although Neas had not earlier called for Pickering's defeat, at the news conference he launched an all-out attack on both Pickering and the Bush White House. "Achieving ideological domination of the federal judiciary is the top goal of right-wing activists inside and outside the Bush administration," Neas said, "and judges like Charles Pickering are the means to that end."

The report was a grab-bag of issues, all of which suggested that Pickering was an unreconstructed segregationist who was hostile to the rights of women, minorities, and the poor. The report criticized Pickering for a 1959 law-review note on Mississippi's interracial-marriage ban that Pickering wrote as a first-year law student; it accused Pickering of having had "contact" with Mississippi's racist Sovereignty Commission in the 1970s; it accused Pickering of being indifferent to equal voting rights; it said Pickering had a "troubling record of reversals in the Court of Appeals"; it said he was hostile to abortion rights; and it accused him of blurring the separation of church and state.

Republicans on the Judiciary Committee sent a staff member to the Neas press conference. But when the aide came back with a copy of the report, GOP aides simply did not take the charges very seriously. Most, if not all, of Neas's accusations seemed without merit, and many had been considered by the committee in 1990 when it unanimously approved Pickering's nomination to the district court. But what Republicans did not know was that the Neas report would have a profound effect on the Pickering battle, becoming, almost overnight, a blueprint for Democratic committee members' objections to the nomination.

Another thing Republicans did not know was that Neas's research project did not stop when the report was released. On January 29, Judith Schaeffer contacted Kinchen again to request transcripts from sentencing hearings in a case known as *United States* v. *Swan*. The case involved a cross burning in southern Mississippi in 1994, and although no one knew it at the time, *Swan* would ultimately become a critical issue in the Pickering fight. On January 30, one day after Schaeffer called Kinchen, Leahy wrote Pickering to inquire about the judge's actions "relating to the criminal case of *United States* v. *Swan*."

Pickering's second hearing was scheduled for February 7. When the judge appeared before the committee, Democratic questioning hewed closely to the lines established in the Neas report. The report had focused on Pickering's reversal rate; at the hearing, Democrat Charles Schumer focused on Pickering's reversal rate. The report focused on Pickering's decisions in employment-discrimination cases; Democrat Edward Kennedy covered that topic. The report focused on Pickering's



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"contact" with the Sovereignty Commission; Democrat Richard Durbin handled that. The report focused on Pickering's views on abortion; Democrats Dianne Feinstein and Maria Cantwell covered that. And the report focused on Pickering's views on habeas corpus; Leahy handled that. The only new ground covered in the hearing was the *Swan* case, which had not been in the Neas report (Schaeffer did not request the *Swan* transcripts until five days after the report was released, suggesting that People for the American Way did not know about the case before that time). At the hearing, North Carolina Democrat John Edwards interrogated Pickering about *Swan*, implying that Pickering had gone to unethical lengths to go easy on a white man convicted of burning a cross in the yard of a mixed-race couple.

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At each step of the way, Republicans underestimated the nature of the threat that Pickering faced.

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A week after the hearing, on February 14, Democrat Joseph Biden sent Pickering a series of follow-up questions about *Swan*. The first question began, "According to court documents . . ." and went on to recount details about the case that were available only in the court documents that Margaret Kinchen had sent to People for the American Way. While it is not clear how Biden learned about the details of *Swan*, a source close to the senator says Biden's staff first heard of the case "around the time of the People for the American Way press conference" and later got documents on the case "from other committee staffers." On February 15, the day after Biden sent his questions and long after People for the American Way had already gotten the information, Leahy finally asked for a transcript of *Swan*. By then, the work had been done—not by the committee, but by People for the American Way.

POWERFUL—AND RICH

At each step of the way in the Pickering nomination, Republicans underestimated the nature of the threat that Pickering faced from committee Democrats and, perhaps just as important, from People for the American Way and the rest of the coalition. Unknown to GOP staffers, coalition researchers were far ahead of them—and Democrats, for that matter—as they dug into Pickering's record.

One of the reasons Republicans miscalculated the threat was that they knew little about the power and scope of People for the American Way. It is an extraordinarily rich and well-run organization—two organizations, actually, both of them tax-exempt under Internal Revenue Service rules. One, People for the American Way, is a so-called 501(c)(4) organization—named for the section of the IRS code that provides for such groups—that is legally allowed to engage in partisan political activity. The other, the People for the American Way Foundation, is a 501(c)(3) organization, which is allowed to receive tax-deductible donations and which is prohibited by law from engaging in partisan political work. To qualify as a 501(c)(3), groups like the People for the American Way Foundation have to state on their tax forms that they will not engage in any activity "to influence national, state, or local legislation, including any attempt to influence public opinion on a legislative matter or referendum."

Together, the two branches collect an impressive amount of money. According to tax records for the year 2000, People for the American Way took in $5,140,131 in contributions, while the People for the American Way Foundation took in $7,469,722—for a total of $12,609,853 in one year alone. Much of that money came in large chunks from wealthy donors. In its 2000 return, the foundation listed anonymous individual donations of $540,000, of $432,488, of $314,058, of $250,000, and many more in the six-figure range (the law requires the foundation to list the donations, but not the names of the donors).

Even though the foundation is forbidden to engage in political lobbying, there appears to be significant overlap between the two arms of People for the American Way. Neas's salary, for example, is paid by both the main group and the foundation. In 2000, he received $79,556 in salary from People for the American Way, the political arm, and $119,335 from the People for the American Way Foundation, the non-partisan arm. The salary of People for the American Way's number-two officer, Carol Blum, was also divided between the two parts of the organization. (Officials of People for the American Way told NATIONAL REVIEW they were too busy to be interviewed for this article.)

While People for the American Way has an impressive bankroll, it was just one part of the anti-Pickering coalition. To its $12.6 million budget must be added the budgets of groups such as NARAL, NOW, the Alliance for Justice, the Leadership Conference on Civil Rights, the NAACP, and others—a total that might well approach $50 million.

The numbers point to a striking disparity in the ongoing battle over judicial nominations. On the pro-Republican side, there simply was no group fighting on behalf of Pickering that had anything approaching the coalition's resources. Yes, there are rich conservative organizations like the National Rifle Association and National Right to Life Committee (which also maintain tax-exempt 501(c)(3) arms), but none was deeply involved in the Pickering battle. Instead, there were a few small groups like the newly formed Coalition for a Fair Judiciary, which was created after the near defeat of the John Ashcroft nomination and which operates with one employee, working out of her home in suburban Virginia.

That imbalance virtually assures that the Pickering situation will play out again in the future, with Republicans significantly outgunned in the lobbying battle. Democrats have made no secret of their intention to defeat more of the president's judicial nominees, and People for the American Way and other coalition members are already at work on coming campaigns. The close coordination between committee Democrats and the coalition during the Pickering fight will no doubt be a model for future efforts. What worries many conservatives is that the meagerly funded, poorly organized effort on Pickering's behalf might become a model for the Republican side. If that is the case, it will not be long before Republicans are again left fuming after another bitter defeat. **NR**

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Watching the Watchmen

Human-rights groups and the war

RAMESH PONNURU

THE last six months have not been good ones for leading human-rights groups—but not for the reason they think. From their point of view, America and its allies are paying less attention to human rights now because of the war on terrorism. The latest annual report from Human Rights Watch is full of gloom on this score: "Unfortunately, the coalition's conduct so far has not been auspicious. . . . Its leading members have violated human rights principles at home and overlooked human rights transgressions among their partners. They have substituted expediency for the firm commitment to human rights that alone can defeat the rationale of terrorism. Whatever its success in pursuing particular terrorists, the coalition risks reinforcing the logic of terrorism unless human rights are given a far more central role."

But it is the human-rights organizations—including Human Rights Watch, Amnesty International, Oxfam, and Doctors Without Borders—whose conduct so far has been dismal. In episode after episode, they have shown a stunning moral and practical obtuseness about the war. They have issued lofty pronouncements unhinged from reality. Their posture toward America has been unsympathetic, suspicious to the point of paranoia, demanding, implacable. This performance should be no surprise to anyone who has followed these groups over the years. But Americans who know only of their good works—their efforts in behalf of political prisoners, most notably—may be mystified and angered. The war isn't making Americans indifferent to the claims of human rights. It may yet make them indifferent to the claims of the organizations that purport to stand for them.

The human-rights groups were, of course, horrified by the terrorist attacks of September 11. But even in their initial comments on those attacks, the groups showed their failure to take terrorism seriously. As Freedom House executives Adrian Karatnycky and Arch Puddington observed in an excellent essay for *Commentary*, Amnesty International and Human Rights Watch can rarely even bring themselves to use the word "terrorism," at least without quotation marks. Human Rights Watch avoids the word, it says, because "there is no universally accepted definition" of it and "one person's terrorist is another person's freedom fighter."

Both groups recognized that the attacks were a massive violation of human rights. In the months since, they have occasionally noted atrocities by our enemies in the war on terror, such as the murder of journalist Daniel Pearl. But almost all of their criticism has been directed at America and its allies. If all you knew about the war came from reading the section of Amnesty's website on the subject—titled "Justice Not Revenge"—you would think that the United States had a worse human-rights record than the Taliban.

A PECULIAR VIEW OF 'HUMAN RIGHTS'

Both Amnesty International and Human Rights Watch insist *that they take no position on whether the war is justified.* But they plainly would have preferred that the September 11 attacks were treated as crimes rather than acts of war. This position led Amnesty to issue pretty strange statements, as when it expressed concern that "a number of suspects . . . have been publicly presumed guilty by senior members of the U.S. government." The officials' comments "have the potential to undermine the possibility of a fair trial in any U.S. court." Not that Amnesty or Human Rights Watch necessarily wants an American trial. They have urged other countries not to extradite terrorist leaders to the United States unless we promise not to seek the death penalty, which they consider a human-rights abuse.

Nearly every American action in the war has drawn condemnation from human-rights groups. When we transferred arms to the Northern Alliance, Amnesty International wanted "independent monitors" there to verify that we weren't giving them to anyone who had violated human rights. It expressed concern that policymakers were discussing an end to the ban on targeted assassinations. Doctors Without Borders dismissed our humanitarian aid to Afghanistan as "propaganda." In October, Oxfam and U.N. human-rights commissioner Mary Robinson urged a bombing halt for humanitarian reasons.

By the end of that month, Amnesty was calling "for an immediate and full investigation into what may have been violations of international humanitarian law such as direct attacks on civilian objects or indiscriminate attacks"—that's by *us*, of course. Human Rights Watch would later send a team to Afghanistan to look into civilian casualties. Never mind that no military action in history has been as scrupulous about trying to avoid them.

In late November, Taliban fighters who had supposedly surrendered staged an uprising in a prison near Mazar-e-Sharif; they were put down. Amnesty demanded an investigation of American tactics. In a videotape of an interrogation of John Walker Lindh, a CIA agent told the young jihadist that he had to decide whether he wanted "to live or die." Kenneth Roth, the executive director of Human Rights Watch, said the implied threat amounted to torture. Amnesty called for a "full inquiry."

In November, President Bush issued an executive order establishing military tribunals. Although the order made it clear that the tribunal's procedures would be spelled out in detail later, the human-rights groups assumed the worst: that any due-process protections that were not in the order would not in fact be applied. Human Rights Watch said the order "displayed a disturbing indifference to international fair trial standards."

The human-rights groups were disturbed again by conditions at Guantanamo, demanding to be let in to inspect the situation and asserting the rights of all combatants, even the unlawful ones, to the protections of the Geneva Convention.

In most cases, the groups' lobbying has been mercifully ineffectual. By ignoring the demands for a bombing halt, the U.S. government was able to overthrow the Taliban—an achievement that, incidentally, did more for human rights than all

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these groups have done put together. Not that any of them said a word in praise or gratitude. Indeed, they have not even acknowledged that preventing repeats of September 11, by for instance killing any surviving perpetrators, is a service to human rights.

If the human-rights groups had their way, however, the ability of American policymakers to ignore their counsel would be severely limited. Amnesty and Human Rights Watch are zealous in their support of an International Criminal Court that could try Americans, including soldiers and government officials, for human-rights abuses. Human Rights Watch attributes American opposition to our "resistance to accountability." In fact, the opposition is largely premised on fears that the court would itself be unaccountable. The human-rights groups' enthusiasm for such a court—which would use secret testimony, allow acquittals to be appealed, and dispense with juries—is remarkable, especially in light of their opposition to Bush's military tribunals.

If an international treaty that might limit American power is being discussed, it's a safe bet that the "human-rights community" is for it. Amnesty International, Human Rights Watch, and the Red Cross want an international ban on landmines. How should we protect South Koreans, and our soldiers stationed among them? That's not the human-rights groups' job.

All of these groups primly maintain that they are non-political. Yet their agenda is often indistinguishable from that of left-liberals. Amnesty issues reports on racial disparities in imprisonment in the United States—another alleged human-rights abuse; it is rarely mentioned that racial disparities in crime rates might be relevant to the situation. Amnesty wants Leonard Peltier, who was convicted of killing two FBI agents but is also a cause célèbre of the Left, released. Both Amnesty and Human Rights Watch excoriated Bush for not sending a high-level delegation to the Durban "world conference against racism," Colin Powell having passed up the opportunity to learn about the Syrian government's theories on the Holocaust.

AMERICA THE MURDERING

And so it goes: Human Rights Watch is constantly on the lookout for Israeli human-rights abuses, and sporadically concerned about Palestinian ones. It joined a lawsuit against Bush's policy of denying federal aid to groups that perform abortions or advocate the legalization of abortion overseas. Before September 11, Amnesty and the human-rights division of the Ford Foundation were debating whether to put "social rights"—the "rights" to housing, health care, and the like—on their agenda, which would have pretty much made the identification of human rights with left-wing politics complete.

The issue with the most potential to alienate Americans who would otherwise be well disposed to the human-rights lobby is surely the death penalty. There is, of course, a respectable case against the death penalty. But Amnesty International and Human Rights Watch never acknowledge the possibility of reasonable disagreement on capital punishment. America is said to need to abolish it to join the civilized world and to become a decent society.

The groups are quite fixated on the subject. During his February trip to China, President Bush exhorted his hosts to respect the rights of his citizens. How did Amnesty greet his stirring words? Not by adding their voices to his, but by making a snippy observation about his support of execution: "During President Bush's current visit to China, where earlier today he said that 'no nation is exempt from the demands of human dignity,' he should reflect upon the fact that an execution due in his own country next week would be illegal in China."

The groups are also willing to go to extraordinary lengths to oppose capital punishment. The fanaticism of their position on extradition to the United States is a case in point. Another is the case of Napoleon Beazley. He killed a 63-year-old man, tried to kill the man's wife, and stole their car, all in order, he told a friend, "to see what it's like to kill somebody." It would be one thing to oppose Beazley's execution on the theory that the death penalty should never be used, even against a monster. But Amnesty protested because Beazley was "a child" (he was 17 when he committed the murder) and because he had no previous criminal record. By executing him, the State of Texas would be implementing a policy of "one strike and you're out."

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The moral mistakes of the human-rights establishment cannot simply be dismissed as a result of excessive zeal for human rights.

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Asked about conservatives' perception of Human Rights Watch as liberal, Roth says, "I have a hard time believing that conservatives favor throwing out standards that prohibit torture or killing civilians." Most conservatives don't think that capital punishment is equivalent to those evils. But it is typical of the human-rights groups to retreat to the non-controversial parts of their agenda when pressed to defend themselves.

The moral mistakes of the human-rights establishment cannot simply be dismissed as a result of excessive zeal for human rights. There are also human-rights issues to which that establishment has, historically, turned a blind eye. Leaders of the struggle against religious persecution have long complained that the human-rights groups have not made the issue a priority, partly out of a reluctance to make common cause with evangelical Christians.

Roth's testimony in a February 1998 congressional hearing typified their approach. Religious persecution, he argued, can't be seen in isolation from other forms of repression. He cautioned against "singling out one category of violations." Of course, the human-rights groups do that all the time, issuing special reports on and urging special action against the persecution of journalists, of women, of gays, etc., all of which could be seen in the context of larger problems. But at least the human-rights groups have gotten more active in fighting religious persecution over the last five years.

The human-rights groups still do important and valuable work. For forty years, Amnesty has been keeping many of the world's political prisoners from being forgotten, and thereby gotten many of them released, treated better, or just not killed. But these organizations want to do more than some useful and praiseworthy things. They want to be the world's conscience. Too bad they're not up to the job. **NR**

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When Red Is Not Dead

What a refusal to face the Communist past does to Russia

GARRY KASPAROV & THERESE RAPHAEL

"All your life you live so close to truth, it becomes a permanent blur in the corner of your eye, and when something nudges it into outline it is like being ambushed by a grotesque."

—Tom Stoppard (*Rosencrantz and Guildenstern Are Dead*)

WERE the Soviet era a currency, it would be possible to chart its appreciation in Russia over recent years. Despite a decade of post-Communist government, a number of economic reforms, a burgeoning consumer class, and a president who speaks publicly about democracy and the "dictatorship of law," the past has remarkable cachet in Russia today.

In a speech last December, Vladimir Putin marked the ten-year anniversary of the Federal Security Service (FSB), the successor to the KGB, in which he had spent his entire professional life. He recalled "the most vivid pages of the history of Russia's special services," and said that Russians "should, without shame, be proud of this history, be proud of the heroes and their achievements."

Soon after this, the FSB issued its 2002 calendar featuring a large photograph of Dzerzhinsky Square in Moscow. The statue of Felix Dzerzhinsky, Lenin's murderous henchman and father of the Soviet secret service, was removed from the square in August 1991. But the calendar depicts the square as it used to be, with Dzerzhinsky as its centerpiece.

The previous summer, Putin had paid a visit to the northern Russian town of Solovki, location of a venerable Orthodox monastery, but whose place in history was forever changed when the Bolsheviks designated it the first Gulag town. Putin praised the rich history of the Orthodox Church—but had no words for the political prisoners who suffered and died in the prison camps there.

On another occasion, the Russian president put an end to the debate over whether Lenin's body should be removed from its place of honor in Red Square. To do so, he said, would be to tell Russians that they "had worshiped false values."

None of these things would seem out of place for most Russians. Quite the contrary. A youngster coming of age in today's Russia could be excused for thinking the last century a relatively auspicious time. The Soviet anthem remains, with new lyrics, and Stalin's likeness adorns souvenirs peddled in street markets. Just beyond Lenin's painstakingly preserved corpse lie the Communist Party's best, brightest, and most brutal: Dzerzhinsky, Stalin, Brezhnev, Andropov, and the others.

One prominent history text taught at the prestigious Moscow State University reads as though composed in the Central Committee of the Communist Party. It makes only passing references to the Gulag archipelago in which millions perished between 1917 and the mid 1950s, and no mention of the 1940 Katyn massacre of Polish officers (or of the American lend-lease program, which sustained the USSR). Soviet crackdowns in Hungary and Czechoslovakia are portrayed, as they were during Soviet times, as joint operations by Warsaw Pact countries to preserve the integrity of the socialist system.

If the Communists were so horrible, as our youngster might occasionally have gleaned from his elders, wouldn't the world's moral authorities be demanding an accounting of the past? What about, at a minimum, a round of apologies? The Pope apologized for the Crusades. Bill Clinton apologized for the African slave trade, among other things. More poignantly, Polish president Aleksander Kwasniewski went to the Polish town of Jedwabne in July 2001 and apologized for the massacre of some 1,500 Jewish residents there by other Poles sixty years before.

None of the post-Communist countries in Europe has had a full accounting of the past, but there have at least been steps in that direction, in stark contrast to Russia. Poland has attempted to try Gen. Wojciech Jaruzelski. The Czech Republic has held a number of trials of former Communist officials and, like the former East Germany, has moved to open the files of its dreaded secret service to the public. Hungary's prime minister, Viktor Orban, gave an address recently at the opening ceremony for a controversial new museum in Budapest called the "House of Terror," which graphically depicts the country's fascist and Communist pasts side by side.

The countries mentioned above have emerged into stable, market-based democracies whose economies have attracted foreign investment at much higher levels per capita than Russia. They are NATO members and future members of the European Union. They can be called friends of America.

For an even more revealing study in contrasts, consider the (alleged) other end of the ideological spectrum—countries that experienced fascist or, as it is often obtusely labeled, right-wing dictatorship in the last century. During the Cold War, conservatives used to speak of distinctions between totalitarian and authoritarian governments. Right-wing dictatorships did not go in for the kind of mass brain-washing (and certainly not the level of mass murder) of their left-wing counterparts. They did not seek to cordon off a country's history from the "revolution" on, as did the Communists. In other words, their populations were knocked down, but civil society was not knocked out.

While much has been written of the excesses of Franco, Pinochet, and others, it is rarely noted that their regimes had their roots in reactionary, anti-Communist movements. Spain, Chile, Taiwan, Korea, and other countries faced a choice between a greater and a lesser evil. Those who chose the lesser evil—rejecting Communism—are better off today. In 1973, Chile was an economic basketcase; it is now far and away Latin

Garry Kasparov is the number-one-ranked chess player in the world. He serves on the *Wall Street Journal*'s board of editors. Therese Raphael is editorial-page editor of the *Wall Street Journal Europe*.

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America's strongest economy and one of its more functional democracies. Much the same story can be told of Spain, Portugal, and Taiwan. And, of course, nearly 40,000 American soldiers lost their lives to keep South Korea, now an engine of growth in Asia, from starvation and repression. These too are America's friends.

The point of reflecting on these distinctions long after most ideocracies of Left and Right have disappeared is that they tell us something important about how countries emerge from a debased past to become what we might call normal. At different paces, and occasionally with detours, countries such as South Korea all took the same path, down which a defeated Germany was marched initially by World War II's victors but which she then trod on her own. It's a distinction with a big difference.

A SENSE OF OBLIGATION

Consider: It is illegal in Germany today to deny that the Holocaust took place. Indeed, it is illegal in America to discriminate on the basis of race or creed. And yet Russia's leaders aren't apologizing for the past; some are even celebrating it. Thanks to a thorough military defeat and the Nuremberg trials, the postwar German government spent half a century in atonement. The post-Soviet Russian government, whose ranks include many former Communists, is a direct descendant of the Soviet regime, which got off lightly after 70 years of repression. There is thus no sense of obligation toward the victims of the Communist era, which lasted nearly six times longer than the Nazi terror.

The irony was laid bare recently when a military court in Siberia upheld the conviction of Adm. Kolchak, an anti-Bolshevik commander who was executed by the Communists in 1920. Kolchak, the court decided, could not be rehabilitated because he was guilty of crimes against humanity. However defensible that decision, it is a reflection of Russia's Alice-in-Wonderland notion of justice that while crimes against humanity are confirmed in the case of an anti-Bolshevik military man, not a single Communist has been tried in post-Soviet Russia for atrocities committed under Communism.

Dzerzhinsky by Roman Genn

The closest thing to a reckoning with the past in Russia is the presidential rehabilitation commission set up during the last years of the Soviet Union and expanded under Yeltsin. The commission is nearing the end of its work, having "rehabilitated" 4.5 million people—those whose names were blackened by the Communists—with several hundred thousand cases remaining to be investigated. But the man who heads the commission, Aleksandr Yakovlev, is gloomy about its impact. "The official history still remembers Stalin as the great commander-in-chief who defeated Hitler," he told the *Times* of London in March. "No one wants to face the fact that he killed 30 million of his own people, most of whom disappeared without a trace. No one has apologized for what they did, and most people do not seem to care whether we confront this chapter in our history or not." Yakovlev, a former Politburo member, is a rare Russian official who favored banning the Communist Party, burying Lenin, and holding public hearings to try those guilty of the worst atrocities in the Communist period.

Why are Communist crimes seemingly forgiven, not least by the victims? Speaking on the occasion of Czech National Day, October 28, President Vaclav Havel noted the sluggish pace of investigations and trials of former Communists and the lack of public interest, and proffered an answer: "[I]n one way or another, the majority of our population, though under blatant and rather cleverly applied pressure, cooperated with the regime, or at least tolerated it." He cautioned that "a subconscious feeling of a certain measure of involvement, or of participation in guilt, may lead to a weakening of the need to see the former regime and its representatives judged." Punctilious in destroying opponents and skilled at making accomplices of the rest of society, Soviet leaders made the logistical and emotional task of an ex post facto accounting extremely difficult.

If there was any time that Russia might have wriggled free of the past, it was the heady days after the failed putsch of August 1991, when the shutters on Soviet totalitarianism were thrown open. Few Russians knew before then that, in 1954, 45,000 Soviet citizens were deliberately exposed to radiation from a bomb that was twice as powerful as that dropped on Hiroshima. Many had not heard about June 1962, when the people's government sent troops and police to Novocherkassk to fire on crowds of striking workers protesting a steep rise in the prices of meat and butter. Through the scholarly efforts of Gen. Dmitri Volkogonov and others, Lenin and other Soviet heroes were demythologized and demolished. Of course, the further one was from Moscow and a handful of other hubs, the less the exposure. Still, the flood of revelations, combined with a general desire among the public for change, created a small opening, which turned out to be short-lived.

Yeltsin banned the Communist Party, seized Party assets, and shut down newspapers and magazines that had opposed the government in the brief 1991 putsch. In November 1992, Russia's nascent Constitutional Court only partly upheld Yeltsin's ban on the Party, paving the way for the Party's revival. The court's deliberations centered not on the Party's past crimes—this was no Nuremberg—but, in an apt foreshadowing of the "privatization" scam that was to follow, on how the Party's considerable assets might be put to better use.

The old nomenklatura had effectively transformed itself into the new oligarchy, which relied heavily for protection, intelligence, and influence (as did the government itself) on the KGB-FSB fraternity that would have much to answer for should the past be exposed. Why jeopardize Casino Russia, with so much in the jackpot?

Yeltsin didn't press his case in the court of public opinion, which may anyhow have been unresponsive. After nearly a century of being deprived of moral choice, the Russian people were too poor, tired, suspicious, obedient, and disillusioned to demand otherwise. Communism, as Hannah Arendt predicted, had laid waste to morality. "Totalitarian terror," wrote Arendt, "achieved its most terrible triumph when it succeed-

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ed in cutting the moral person off from the individualist escape and in making the decisions of conscience absolutely questionable and equivocal."

Russia veered off the rails at about this time. Today the country resembles a divorcé heading off to Vegas for a quickie wedding before the ink is dry on the divorce papers. Somehow the vows of fidelity to the new bride strike us as less than believable. Of course, a number of years of faithful marriage might lay to rest such doubts. But so far Russia has been anything but a faithful partner of democracy.

The curtailments of press freedom and the equally unabashed exploitation of Russia's judiciary to pursue political objectives suggest Russia's heart remains elsewhere. The war in Chechnya would not be possible in a truly democratic society. There are many other signs of dysfunction, from the expansion of the security services and the pervasiveness of bureaucratic corruption to interference in electoral processes. But the dissolution of serious political opposition—perhaps the most remarkable difference in Russia between a decade ago and now—is a dead giveaway.

THE 'PUTINOIDS'

"Ya Putinoid"—or "I am Putin's cyborg"—admitted Arkady Murashev, one of the brightest of the anti-Communist leaders who came to the fore during the waning Gorbachev days. There are many "Putinoids" among the young reformers who offered so much hope ten years ago. Most have been either compromised through their use of power for personal enrichment, as in the case of Anatoly Chubais, or co-opted by the Kremlin's insistence that there is no credible alternative. Russia has no effective opposition.

When past crimes are treated with impunity and the potentates of the old system become the chief beneficiaries of the new, it is little wonder that Russians today haven't found what Arendt called their "moral person." Far from seeing justice done, Russians have learned that dishonesty, even crime, pays. High-profile FSB prosecutions on dubious charges of "espionage" don't provoke a reaction in part because such tactics are more familiar than the democratic rights being violated. There has been the barest of responses to the seizure by government appendages of independent television stations, further debasing Russia's politicized judiciary in the process.

Because so much of the past is a blur, most Russians have forgotten Stalin's brutal mass deportations of the Chechen people in the 1940s; so they cannot sympathize with the anger and fear Chechens feel toward Russian hegemons. Instead, they regard the Chechens in much the way the Serbs—equally misguided about history—viewed the Kosovar Albanians: as a subhuman species that needed to be dealt with harshly. Elena Bonner, Andrei Sakharov's widow and an indefatigable human-rights campaigner in her own right, put it perfectly: "The inertia of falsehood is stronger even than the inertia of fear."

In early March, a number of distinguished Russians, led by Bonner, signed a declaration to the nation, calling Russia a "controlled democracy" and warning of dire consequences if Russia isn't put back on track. "One should not be deceived: Putin's policy is not a new stage of liberal reform but the liquidation of such reforms," they wrote. "The reforms of the '80s and '90s envisaged the creation of a pluralist and humane society, a legitimate state—with a free press, independent courts, just legislation, and multiparty democracy. Instead of this we see the systematic creation of a centralized police state, and the planned destruction of freedom."

If it is at least obvious why a Russian elite, its closets bursting with skeletons, doesn't want the door opened, it is far less obvious why in this era of truth commissions, war-crimes tribunals, and crusading magistrates the rest of the world has shown so little interest. Put differently, how is it that the human-rights community that pursued the prosecution of Augusto Pinochet (and have in their sights Ariel Sharon and Henry Kissinger) have found little room on their agenda for a discussion of Communist-era crimes? And what explains the shrugs at Russia's fetishistic approach to the Soviet era? Could it be that we have merely forgotten that some 30 million perished in the Soviet Union during those years, or that Communists around the world produced some 80 million or more dead bodies last century?

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When past crimes are treated with impunity, it is little wonder that Russians today haven't found what Hannah Arendt called their 'moral person.'

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Perhaps it is that most in the West have never known these things as truths rather than statistics. Despite a much greater death toll and a much longer period of mass misery, Communist ideology was never freighted with the same connotations of evil as its 20th-century twin, fascism. That two anti-democratic, collectivist, and totalitarian movements would come to be seen as diametrical opposites is one of the great confusions of 20th-century political thought. And yet the implication of this intellectual muddle for our time can't be gainsaid. That the new Left still religiously fingers this old chestnut was apparent in the zeal with which it supported Pinochet's extradition to Spain. Few appreciated the following irony: The aging former East German dictator, Erich Honecker, received sanctuary in democratic, prosperous Chile, while Pinochet, the man who saved Chile from East Germany's fate, was incarcerated on the orders of a judge from Spain, another country once under sustained pressure from Communists.

One of the Big Lies of the last century—Communism as a fundamentally benign force that fell into the hands of evil men—has great staying power. Anti-globalization demonstrators carry posters of Che Guevara and Mao. Koreans demonstrate against the presence of American troops, ignorant or unimpressed that that presence symbolizes sacrifice in the name of freedom. Professors in Western universities manage still to separate Communist theory from its horrific applications. Thousands of Hungarians protested against their new House of Terror museum, appalled that Communism and fascism could be given equal treatment or that the former in particular could be described as a terror. In a world that has

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rediscovered the realpolitik value of values, such things ought to set off alarm bells, certainly among conservatives, who can be proud of having recognized the Communist system for what it was.

And yet conservatives are painfully conscious of not being seen to be old-fashioned, stuck in a Cold War mindset. Moreover, most have moved—rightly—to identify Iraq, Iran, and a few other rogue states as the main threat to America. Russia's helpfulness so far, and the absence of a threat from Russia, has led the United States to view Moscow more positively than at any time since the end of the Cold War. Russia is friendly, or at least reasonably cooperative. Putin may not be Hamilton, but he's not Stalin. The stay-awake-at-night threats these days lie elsewhere.

Putin offered his support after September 11, exuded reasonableness over the U.S. withdrawal from the ABM Treaty, describes the stationing of American forces in Central Asia as "not a tragedy," and shrugs at the enlargement of NATO. All of these are welcome departures from the bravado foreign policy of the Yeltsin era. And yet it's important to put these departures into perspective. A cold calculation of strength and interest at this stage makes it unreasonable for Russia to behave otherwise.

Putin—like most of today's political class in Russia—is a conservative, though not in the sense Americans understand that word. His aim is to guard and strengthen what is traditional to the Russian sphere: state power and collective interests over individual rights. But to do this, as Gorbachev only partly recognized, reforms are necessary; for the state as the Soviets left it was weak, atomized, and poor. A degree of democracy and economic liberalization is not only consistent with Russian conservatism, it is demanded by it. This is good for America, and everything possible should be done to ensure that Russia remains onside. But that is not the same as inferring from Russia's friendliness a shared worldview. Nor, given Russia's shaky democratic moorings, is it wise to count on the continuation of such conviviality.

ATONEMENT AND DEFIANCE

The past century has taught us nothing if not that countries that undertake some process of atonement for a bloody past are able to move beyond it, while those that seek to hide the past become hostage to it. A Russia that skates over its history is not only unlikely to become the stable, prosperous, democratic state of Western hopes; with its moral rudder broken, it cannot reliably serve as an American partner or ally, or a force for stability in its region or in the world. That verdict—not the authors'; history's—on a nuclear power spanning eleven time zones ought to sit uncomfortably with Western leaders.

"The defense of democracy today is a struggle not simply for the possibility of a deserving future for Russia but for the very salvation of the country from a new revolutionary convulsion and disintegration," warn Bonner and her fellows. The terrorist threat has exposed the fatal conceit of a policy that views a correlation of interests as a reliable stand-in for shared values. The nature of states is influenced by their pasts. Down the road, somewhere, the sanitized version of the Communist past will be used to deadly effect, as indeed it already is in Chechnya. **NR**

Choosing Life

Crisis Pregnancy Centers and their enemies

ROD DREHER

MARILYN VEGA, 23, was almost a New York abortion statistic. In 1978, when her immigrant mother became pregnant with her, doctors advised abortion. The mother, a factory worker with a third-grade education, was in her late thirties—an age at which child-bearing carries a risk of birth defects. Besides, she and her husband, also a laborer, were struggling to raise the five children they already had in a Brooklyn tenement.

The Vegas are evangelical Christians, however; they did not believe in abortion. Mrs. Vega had her baby. "Maybe I didn't have a house in the Hamptons growing up, but my life is no less special because of that," Marilyn says today. "Every child has potential. It's totally wrong to say that because of a person's circumstances, it's all right to kill a child. This is America. There's help for women like my mom."

Marilyn Vega knows better than most. She's a part-time counselor at Pregnancy Resource Center, a newly opened crisis pregnancy center (CPC) in midtown Manhattan. Like other not-for-profit CPCs nationwide, this one helps pregnant women who wish to keep their babies find prenatal care and other resources. And its counselors—some of whom are volunteers—attempt to convince women undecided about abortion to choose to carry the baby to term.

In the Empire State, this is a daunting task: New York has an abortion rate higher than that of any state but California. In 1999, there was roughly one abortion for every two live births in the state, with the ratio in New York City being closer to even. For every ten children born in New York City, eight die at the hands of abortionists.

It's a gruesome statistic, and the numbers only get worse when the focus turns to the black population. Statewide, in 1999, slightly more black children were aborted than were born.

What does this mean in terms of raw numbers? In 1999, 132,681 unborn children died in New York abortion clinics—10 percent of the total number of abortions in the nation, and enough to populate a mid-sized American city, such as Flint, Mich. Of these abortions, 96,000 occurred in New York City, with 78,000 of them abortions of either black or Hispanic children.

You would think that even pro-choice advocates would be eager to reduce these appalling numbers. But that's emphatically not the case, as the state's relatively small number of CPCs can attest. Eliot Spitzer, the state attorney general and an ally of abortion-rights organizations, is conducting a civil investigation to determine whether they are practicing medicine without a license, and also whether they are intentionally misleading women into thinking they

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can obtain abortions at the centers. The attorney general's office subpoenaed the records of nine CPC operations, but withdrew them under protest and legal challenge by CPC lawyers, who are representing the money-strapped centers for free.

Spitzer spokesman Darren Dopp says the attorney general's "Reproductive Rights Unit," which instigated the investigation, merely wants to make sure these centers are not violating the law. "We don't regard these people as criminals. Our goal all along was to change their conduct, not shut these facilities down. Right now, we're in the mode of trying to do this cooperatively."

That's not how lawyers for the New York centers see it. Anne Downey, who represents the Crisis Pregnancy Center of Western New York, says, "There certainly seems to be a political motivation" behind the attorney general's investigation: "We have never been given any specifics about this alleged violation at our center. We don't know if there's even a factual basis for this significant intrusion into our activities." Downey also complains that the investigators "keep coming back and narrowing what we are allowed to say"; for example, the attorney general wants CPCs to put up signs on their doors explicitly saying the centers are not abortion clinics.

In terms of political power, the struggle between abortion providers and CPCs is a mismatch. "In the city, there are about ten abortion providers for every crisis pregnancy center," says Peggy Hartshorne of Heartbeat International, a national pro-life organization. "There really is a gigantic need in New York City for more pregnancy centers. This whole campaign by the attorney general is designed to stop that."

Most centers are heavily staffed by religious believers who work on a volunteer basis. Services to clients are free, and budgets are bare-bones. One Manhattan-based expert who advises these centers on administrative problems estimates that it takes between $150,000 and $250,000 a year just to keep a center's doors open in New York City. Though Congress has made noise about making money available to these organizations, at this point they still operate entirely on private contributions.

What do CPCs do that so offends abortion-rights proponents? "The charade is that they provide alternatives, when they don't provide alternatives, they frighten women with horror films about abortion, they lie about the psychological impact of abortion; they have even been known to lie about whether a woman is pregnant," Planned Parenthood president Gloria Feldt told the *Washington Post*. Even worse, from the abortion-rights point of view, CPCs are getting savvier about employing ultrasound technology to "trick" pregnant women into having their babies instead of aborting them. An increasing number of CPCs offer sonograms for pregnant women who visit them—and they report that women, once they see their babies moving in their wombs, overwhelmingly choose to carry the pregnancy to term. Fumed one Long Island abortion provider in the *New York Times*: "The bottom line is no woman is going to want an abortion after she sees a sonogram."

Well, yes, and that's the point. "That was an amazing concession. I bet she bit her tongue when she saw that quote in print," says Lorraine Gariboldi, executive director of the Life Center of Long Island. She continues: "I truly believe these abortion clinics take advantage of women by providing abortion without education. We hear time and time again from women who have been to abortion clinics that they do not get counseling. Look at it this way: For an abortionist to counsel a woman about fetal development, abortion risks, and support available to her should she want to carry the baby to term—they'd put themselves out of business."

Gariboldi, whose center served 1,200 women last year, says roughly 80 percent of her clients choose to continue their pregnancies after hearing her presentation. If they are willing, Gariboldi sends the women to a nearby physician for a free sonogram: "Once she sees the baby in her womb, 99 percent of the time she'll choose to have that baby."

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In terms of political power, the struggle between abortion providers and crisis pregnancy centers is a mismatch.

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That's what happened to Ruth Yeboah, 28, a Ghanaian woman who was living with her immigrant parents on Long Island four years ago, and got pregnant on a trip back to her homeland. Her parents, shamed by their unmarried daughter's pregnancy, ignored her. Yeboah then discovered she was pregnant with triplets; distraught and considering abortion, she went to the Life Center on the recommendation of a social worker.

The counselors offered to befriend her, help her, and arrange for adoption if she chose that route, Yeboah recalls. She was still unsure about abortion, and was offered the opportunity to see videos describing the procedure. "Before that, I didn't know how much like human beings little [unborn] babies, even at one or two months, are," she says. "That really changed my mind."

Counselor Marilyn Vega says it makes sense to suggest to women considering abortion that they know what the procedure will entail, as with any other surgery. "In an abortion clinic, you're lucky if you get that," she says. CPC directors also point out that pregnancy termination is a big business for abortion providers. Abortions generally cost between $300 and $700. Multiply that by the number of abortions, and you've got an industry that takes in between $40 million and $93 million a year in New York State alone.

"We, on the other hand, don't financially benefit from a woman's decision. Because our services are free, we have no financial interest in what she decides," says Jacque Wagner, executive director of four Care Net pregnancy centers in central New York State.

Citing the disproportionately high abortion rate among minority women, CPCs are trying to open more branches in low-income areas. This has opened the movement up to

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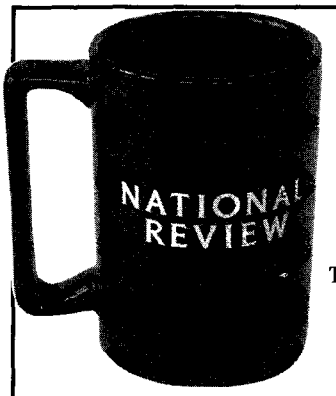
charges of racism and classism (i.e., taking advantage of the poor) from abortion-rights activists. Veteran pro-life activist Frederica Mathewes-Green responds: "It seems ironic that those who are so adamant about decreasing the population see the excess as being the poor and the dark-skinned, and those who are already marginalized. These are not the people who have power in our nation, and these are the ones targeted for elimination."

CPC counselors in New York City say that blacks and Latinas are more open to the pro-life message than white clients—this, even though they tend to be poorer than white women seeking abortions, and therefore less able to provide for their own material needs. "A good CPC director knows how to take advantage of the public and private resources to help these women," says one volunteer counselor. "Some of these women are asking for abortions because they simply can't figure out how to navigate the bureaucracy. I've seen women look at me and go, 'Oh, I guess I really could take care of this baby.'"

It's also a matter of simply listening sympathetically and respectfully to the women, counselors say. It helps, too, when women in crisis can see women who have been in the same dire circumstances, chose to keep their unborn child or children, and thrived. Marilyn Vega is herself a CPC success story, in more ways than one. She became pregnant at 15 and considered abortion, but—with the help of a CPC—chose to keep her baby. Her son is now seven, and will see his mom graduate from college this spring.

"When Jeremy was a year old, I was trying to put him to bed, and I started crying," Vega says. "I couldn't believe I really thought about aborting him." Ruth Yeboah's triplets were born prematurely, but are doing fine; she eventually married her boyfriend in Ghana, and moved back there—with her kids—to start a CPC. "They're doing the right thing at the Life Center," Yeboah says. "I can't believe the state doesn't think so." **NR**



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Dead and Buried

The crazy debate over Yucca Mountain and nuclear waste

JONAH GOLDBERG

THE year, by the old A.D. reckoning, is 12,002. But Lothar has no way of knowing that, since Western civilization—and calendars—had gone the way of the dodo thousands of years before his grandfather was born. Lothar is the leader of a tribe looking to settle down and try their hand at agriculture. He has steered well clear of what used to be Las Vegas, because a fearsome people lives there—amidst the ruins of what all assume was a noble civilization, due to the fact that everyone seemed to eat out of one long communal buffet table. Lothar finds a spot in the shadow of a rust-colored low-slung mountain covered with lizards, scrub brush, and rocky soil. The gods have told him through a vision that this arid and desolate solar anvil is the perfect place for his people to start a new life. They dig many wells, but they all come up dry; finally, they find water. They use it for their crops and drinking water.

And here is the news that scientists, environmentalists, and Nevada senator Harry Reid feared ten millennia earlier: By settling down on a spot no human society found acceptable during the last 10,000 years, Lothar and his people will have increased their exposure to radioactivity by less than the amount you or I receive when flying in an airplane for twelve minutes.

Seriously: Critics of constructing a subterranean repository for nuclear waste in Nevada's Yucca Mountain argue that if the fictional Lothar decides to live in this godforsaken patch of desert 100 centuries from now, he must not be exposed to more radiation *per year* than you or I receive from a single chest x-ray. The Environmental Protection Agency and the Nuclear Regulatory Commission agree: Their minimum standard is for containment of the waste for no less than 10,000 years—at which point, even if the waste did seep into the groundwater and make its way back into the environment, its radioactivity would have decayed enough to be safe.

A little perspective is helpful. The first known city-state, in Mesopotamia, was formed about 5,000 years ago. Human beings switched from their hunter-gatherer existence, it is believed, somewhere between 6,000 and 8,000 years ago. The lifetime of the United States, from the Declaration of Independence to the latest Britney Spears album, constitutes 2 percent of that time span. Which is to say: A lot can happen in the next 10,000 years.

A SINGLE FORT KNOX

"I hope you wore lead underwear," said a blackjack dealer when I told him I had just visited Yucca Mountain. A cab dri-

Mr. Goldberg is editor of National Review Online (www.nationalreview.com).

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ver in Las Vegas implored me, in his best *X-Files* stage whisper, to "tell the world" what was going on "out there in the desert."

Critics of Yucca Mountain are fond of saying the site is "just 90 miles from Las Vegas" (though the more hysterical opponents start dropping the number of miles or saying it's "just outside Las Vegas"). But the truth is, Yucca Mountain really is "out there in the desert." Ninety miles of classic desert nothingness separate Yucca Mountain and Las Vegas. You don't pass through miles of suburbs or small towns, just Joshua trees, mountain ranges, the occasional coyote, and—what the hell was that?!

"Those are the Thunderbirds, they practice here," explained my guide as a squadron of F-16s blew by in tight formation. That's another thing you pass on the way to Yucca Mountain: Nellis Air Force Base, the self-described "home of the fighter pilot." Nellis is essentially where the Air Force practices blowing things up and killing things with the flying portion of America's arsenal of democracy. (From everything I've read, they're very good at it.) Nellis is the home of the Air Warfare Center, the Air Force Weapons School, and the international combat-training exercise known as "Red Flag."

I bring this up for two reasons. First, the Thunderbirds were really cool. Second, if you are concerned about terrorists getting their hands on nuclear waste, where would you want to keep it? Option A: Scattered across 39 states, in 131 locations, near dozens of population centers, and accessible by thousands of roads and waterways? Or Option B: Stored neatly in a defensible pile under thousands of feet of rock 30 seconds from a squadron of F-16s and B-52s? Yucca Mountain is already secure from al-Qaeda types because it abuts the highly classified Nevada Test Site, where we have blown up hundreds of atomic bombs. To date, the only way to breach security at such a facility is to make a lavish contribution to Bill Clinton's reelection campaign and, thankfully, that's no longer a likely scenario.

Nevada's leading politicians—including Democratic senator Harry Reid and Republican governor Kenny Guinn—claim that terrorism is an ad hoc, post–9/11 excuse for storing nuclear waste in their state. They're probably right, considering the administration's tendency to see everything through the prism of terrorism. But just because it's convenient doesn't mean it's not valid. People who advocated tightened air defenses on December 6 could hardly be faulted for including Pearl Harbor in their arguments after December 7. Every day, we hear new revelations about how much al-Qaeda wants a "dirty" nuclear bomb.

And besides, the last people who should be complaining about arguments made out of desperation are opponents of Yucca Mountain. The politics of the issue are straightforward: Nevadans don't want nuclear waste in their backyard and environmentalists don't want nuclear waste anywhere. The bizarre upshot of this marriage of convenience is that environmentalists are disparaging the normally sacrosanct EPA and lauding federalism, while generally pro-nuclear Nevada sounds more like the Sierra Club every day.

Their desperation is understandable. The logic and necessity of putting this waste in Yucca Mountain is, basically, an unstoppable force. America's 103 nuclear power plants provide 20 percent of our electricity. Roughly 42,000 metric tons of nuclear waste have piled up around the country like dirty socks in a bachelor's apartment. The federal government is required by law and necessity to do something with the stuff. Since the 1950s the U.S. has owned all nuclear waste; in 1998 the Supreme Court let stand a lower-court ruling that the federal government has an "unconditional obligation" to take the waste off the hands of utilities. In short, the waste can't stay where it is for much longer; and, as a nuclear-waste lawyer explained it to me, there are 98 senators who don't want the junk in their states, but only two senators who don't want it in Nevada.

There's one more inconvenient fact for the opponents of Yucca Mountain: "There is no Plan B," says Allen Benson, the spokesman for the Yucca Mountain Project, during our 7 A.M. orientation the day of my tour. By this he means: If Congress says no to Yucca Mountain, there won't be another hamper for our radioactively dirty laundry available for decades. Indeed, even if all opposition ceased tomorrow, it wouldn't be until 2008 that the first canisters would make it into the tunnels of Yucca Mountain. So, for a new site to be chosen, studied, and approved—with an anti-nuke movement emboldened by success at Yucca—could easily take 50 years.

This would probably deliver a mortal blow to the nuclear-power industry, because the old plants are getting, well, old (there hasn't been a new one built since 1979); and nobody's going to build any new plants until the question of how to deal with waste is settled. If this problem can be solved, there will be lots of new, cleaner, and more efficient plants—in no small part because the U.S. is under pressure to emit fewer greenhouse gases, and nuclear energy emits none. Environmentalists still hate it and have actively lobbied to exclude nuclear from any formulas for reducing greenhouse emissions. Both the nuclear industry and the anti-nuclear industry understand all of this, which is why Yucca Mountain has become, in effect, a proxy war over nuclear energy in general.

NUCLEAR WAR

This is why the arguments have become so shrill and, often, absurd. Opponents claim that the area is "geologically unstable," in the words of *The Nation*. Britain's *Independent* was hysterical: Under the headline, "Bush to Dump Nuclear Waste in Earthquake Zone," the "reporter" called Yucca Mountain a "geological nightmare" and lambasted Bush for flying in "the face of scientific opinion."

In fact, almost no credible scientist in the world considers Yucca Mountain unstable, and, as the Energy Department is fond of pointing out, the Yucca Mountain Project has been the most scientifically studied and reviewed enterprise in human history. True, there are earthquakes in the region. But the scientifically illiterate don't understand that earthquakes don't do much damage 1,000 feet below solid rock. Think of a whip cracking: The tip flails about, but the handle barely moves.

Opponents also point out that there has been volcanic activity in the past in the area. Again, no credible scientist is particularly concerned about that either. In fact, it's good news that there's been volcanic activity in the past, because that makes it a lot less likely there will be some in the future. The forces responsible for eruptions are moving westward, away from Yucca Mountain. "Don't buy property in Bishop, California, in 40,000 years," explains my guide, a senior engineer at Yucca Mountain.

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Nevada politicians and other opponents are also trying to scare the bejeebers out of the rest of the country by decrying the "mobile Chernobyls" that would carry the waste to Yucca Mountain. This is the reddest of all herrings. There've been over 3,000 nuclear-waste transports since 1964, without a radioactive release. (FYI: Nuclear waste doesn't "spill," because it's cooked into dry little pellets.) Some critics try to conjure a terrorist threat to the transports, but these are actually less of a target than the current temporary facilities—because they aren't sitting ducks. Even if some group were to catch up with a transport, and then hold off the U.S. military for a prolonged period, they still couldn't get at the waste: Even with all of the right tools, it takes a full day to get these things off their transport beds.

HEAVY WATER

Yucca scientists—and the thousands of kibitzers looking over their shoulders—have run every conceivable scenario through their models. Huge planes crashing into Yucca Mountain, nuclear attacks, tsunamis, catastrophic failures of every kind, even the return of disco. Nothing scares these guys—except water: Water is the enemy. For a week, a year, a century, we can keep water out of almost anything. But when you start talking about a drip like the one from your kitchen sink lasting thousands of years, water can get through rock. And, even more inconvenient, neutrons—and other particles thrown off by radioactivity—love water more than Chesapeake Bay retrievers do.

This is why almost all of the manmade stuff intended for Yucca Mountain is designed to stop water. On its own, Yucca's rock can fend off the earthquakes and nuclear attacks. But technology is needed to slow the pace of water. Yucca Mountain was selected because all scientists agree that a geologic repository must be dry. Sitting next to Death Valley, Yucca Mountain gets, on average, seven inches of rain a year. Ninety-five percent of that rain either evaporates or is consumed by the ecosystem. Some of the remaining 5 percent—less than four-tenths of an inch per year—can, after at least a thousand years, reach repository depth. Indeed, almost all of the serious concerns about Yucca Mountain revolve around how long it will take that water to reach the containment area.

And, even according to the alarmists, it will take a very long time. First of all, the rock and tuff around Yucca has been dry for millions of years. Water, especially under very little pressure, doesn't move through dry rock very well. Also, because the containment area is surrounded by fissures and faults that serve as natural rain gutters, most of that tiny amount of water would move around the container, not into it. To date, scientists have found *no evidence* that *any* water actually makes it into the tunnels at repository depth; also, remember, the actual waste packages will be very hot for the first few hundred years—around 400 degrees—and extreme heat repels water.

But let's assume that, after a few thousand years, the incredibly unlikely happens and some water manages to penetrate the containment area. This water would then hit a thick titanium drip shield. It would have to eat through that. It would then hit the waste canisters. Current designs for these things include a wad of corrosive-resistant metal, and then another wad of stainless steel. Okay, let's assume Super Water makes it through that. It would then hit the waste. The nuclear waste itself consists of water-resistant ceramic pellets with metal cladding. But let's assume the water dissolves the pellets and the now-radioactive water eats through the bottoms of the waste packages and hits the floor. It would then have to go through 800 feet of dry rock and tuff, which contains minerals called zeolites, which are natural filters of radioactivity. After 800 feet the nucleotides would hit 1,000 feet of wet rock; and then, finally, they'd hit the water table.

Uh-oh.

Well, not really. Another attribute of Yucca Mountain is that it sits on a completely self-contained "hydrologic basin." The water under Yucca doesn't go anywhere. Sure, there are a few hundred people living around Yucca, but we'd have an early-warning system of, say, 5,000 years to get them evacuated if there were a problem. But even if the groundwater were contaminated, the worst that would happen is that someone living 18 kilometers from Yucca Mountain, drinking the water and eating crops grown in the ground, would receive about 150 additional millirems of radiation a year. That's a bit less than the radiation you would get from living in La Paz.

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Water is the enemy. This is why almost all of the manmade stuff intended for Yucca Mountain is designed to stop water.

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And another thing: The best projections say that this worst-case scenario would only take place *480,000 years from now*. You see, this waste isn't particularly dangerous after the first few hundred years. Moreover, the whole project is intended to make the waste retrievable for anywhere from 50 to 300 years after it's put in the ground. Most scientists believe we'll get better at making nuclear waste less dangerous; if scientists discover a better way to store or neutralize it, we will be able to go back in and get it.

This is why Sen. Reid and other opponents are so dishonest when they cite a recent study from the Nuclear Waste Technical Review Board that declared some of Yucca's scientific modeling "weak to moderate." Reid said, "I can't believe the administration would settle for weak to moderate science as a basis for this decision." But the review board was looking at the modeling for thousands of years from now; of course we don't know for sure how these waste packages will hold up in 10,000 years (though the Yucca scientists believe all of their models are very conservative). Reid's position is essentially that until we test a waste package for that long we can't be confident it will work.

What's more important is that the review board said there was no reason not to move forward with the Yucca project. Reid, who has all but accused Dick Cheney of using Enron executives to smuggle hazardous nucleotides into the Cheerios of Nevada's children, should be applauded for wanting to protect constituents like Lothar tens of thousands of years from now. But I have bad news for him: Lothar's a Republican. **NR**

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THE LONG VIEW

By Rob Long

Presidential Succession: A Constitutional Guide

"I am in control here," former Secretary of State Al Haig famously declared, hours after his boss, President Ronald Reagan, was wounded by a would-be assassin. Haig touched off a firestorm of confusion that exists to this day—who, really, is in charge when the President is incapacitated, or worse? What would happen if large parts of our government were crippled (or entirely destroyed) by a terrorist's action? Under which constitutional circumstances would, say, a Secretary of Veterans Affairs (whose name escapes me at present) become Commander in Chief?

So, herewith, a guide.

SCENARIO I

A terrorist attack on Washington, D.C., fells the President, his chief Cabinet officers, and, oddly, Lee Greenwood, the country singer and composer of "God Bless the U.S.A." As Secret Service agents rush to the "undisclosed location" to escort the Vice President to the White House for his swearing-in, the Speaker of the House and the President Pro Tempore of the Senate, both of whom are assuming operational control, gather in the Oval Office with their respective advisers to discuss fabrics, sofa groupings, and changes in the White House movie schedule. As the Vice President—now, constitutionally, the President—speeds to the White House, tensions rise as both the Speaker and President Pro Tem bicker over who gets to put his photos on the credenza behind the desk. The bickering erupts into fisticuffs, and as the new President arrives, he is hit with a flying Jefferson cup, which causes a fatal heart attack. The Speaker and the President Pro Tem are arrested. Result: The presidential line of succession goes directly to the Secretary of Veterans Affairs (whose name escapes me at present).

SCENARIO II

A bio-terror attack during the State of the Union takes out the entire federal government except for Dick Gephardt, who, because of his fully amphibious nature, is immune to the toxin. Gephardt assumes the presidency, but the constitutionality of that move is questioned by eight state attorneys general. The issue is thrown to the Supreme Court, which cannot hear the case because there are no surviving Justices, nor is there a Senate to confirm new ones. Result: The presidential line of succession goes directly to Scott Baio, former child star of "Joanie Loves Chachi" and "Charles in Charge."

SCENARIO III

Iraq develops a powerful knockout gas that causes the entire judicial and executive branches of the federal government to fall into a deep sleep. Only the legislative branch is unaffected. Bitter partisan fighting quickly develops as the two houses of Congress try to fill positions in the "sleeping branches" with temporary replacements. Network news anchors, the editorial boards of The New York Times and The Washington Post, and the Faculty Senate of the Kennedy School of Government are called in to arbitrate. The President wakes just in time to prevent the swearing in of Acting President James Jeffords and Acting Vice President Strobe Talbott. Result: No constitutionally mandated change in leadership, but a very close call.

SCENARIO IV

At a large state dinner, the "Lavar las Manos" sign is inadvertently knocked down from above the bathroom sink. As a result, many of the servers and food-handlers quickly forget to perform that most crucial action after using the bathroom. Several hours after the dinner, two-thirds of the federal government is incapacitated by severe gastro-intestinal distress. For eight days, all Cabinet officers and their deputies, as well as the entire leadership of both houses of Congress, cannot perform any official duties. Result: The GDP rises one full percentage point, unemployment dips below 4 percent, and the Dow tops 12,000. No constitutional change in leadership, so it doesn't really belong here. Still, it's nice to think about, isn't it?

SCENARIO V

Secretary of Labor Elaine Chao is possessed of a cobra demon, while a bizarre genetic experiment gives Secretary of State Colin Powell super-elastic arms and legs. A terrorist attack takes out most of the government, except for Cobra Demon Girl, fighting for the forces of evil, and the Stretcher, who uses his super-elastic powers to fight Cobra Demon Girl's plans for world domination. Result: The presidential line of succession goes directly to Scott Baio, former child star of "Joanie Loves Chachi" and "Charles in Charge."

Please clip this guide and keep it in your wallet for handy reference in the event of a terrorist disruption.

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HELP!!!!

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"How come every girl I meet starts talking right away about zero population growth?"

The Pickering Rejection

Recalling that most cruel shot
Loosed on a painted ocean
That killed the albatross and set
A longish poem in motion;
One hopes, when Democrats convene
To feast and, later, linger,
Some old coot stoppeth more than one
And Daschle gets the finger.

—W. H. von Dreele

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Dissident from Denmark

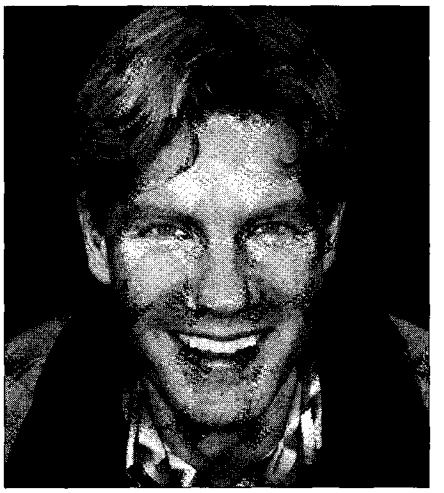
JONATHAN H. ADLER

The Skeptical Environmentalist: Measuring the Real State of the World, by Bjørn Lomborg (Cambridge, 515 pp., $28)

BJØRN LOMBORG is the environmentalists' Enemy Number One. He isn't the CEO of a major oil company or an industry lobbyist; he doesn't lambaste "environmental wackos" on talk radio, nor, so far as we can tell, did he provide secret briefings to Vice President Cheney. Lomborg is an associate professor of statistics in the political-science department at the University of Aarhus in Denmark, and all he did was write this book—which represents the most substantial challenge to the green orthodoxy that modern civilization is producing environmental ruin. On the basis of a mountain of statistical data—documented in over 500 pages, with almost 3,000 footnotes—Lomborg proclaims that "things are getting better," and that there is no reason that the good news can't continue.

Lomborg did not intend to report the good news about Planet Earth. He began his project as an attempt to debunk the late enviro-optimist Julian Simon, who infuriated modern-day Malthusians with his rosy assessments of global trends. In 1997, Lomborg happened across an interview with Simon in *Wired* magazine. Confronted with

Mr. Adler is an assistant professor at the Case Western Reserve University School of Law. His books include *Environmentalism at the Crossroads* and *Ecology, Liberty, and Property*.



Center of the storm: Bjørn Lomborg

Simon's positive assessment of the planet's condition, he sought to prove that such views were the product of "American right-wing propaganda." He gathered ten of his best students and set about checking the data behind Simon's claims. "Contrary to our expectations," Lomborg reports in the preface, "it turned out that a surprisingly large amount of his points stood up to scrutiny." The doomsday visions offered up by most mainstream environmental groups did not. Lomborg expanded his research on environmental problems, eventually producing *The Skeptical Environmentalist*.

The focus of this book is "the Litany of our ever deteriorating environment" proclaimed by environmental activist groups and echoed throughout the media and popular culture. You've heard "the Litany" before: Resources are running out, population growth is outpacing food supplies, species and their habitats are disappearing, and pollution keeps getting worse. In sum, humanity is despoiling the planet and threatening human civilization in the process. "We know the Litany and have heard it so often that yet another repetition is, well, almost reassuring," Lomborg explains. "There is just one problem: It does not seem to be backed up by the available evidence."

What follows is an encyclopedic assessment of environmental concerns, from population growth and food supplies to energy and global warming. On each subject, Lomborg compares the conventional environmental assessment with the publicly available data. Time and again, the most apocalyptic environmental claims come up short—far short. "Mankind's lot has actually improved in terms of practically every measurable indicator," he explains. People are living longer, healthier lives than ever before. Food production continues to keep pace with population, while health threats are diminishing, along with most forms of pollution. Stresses on some natural resources are very real, Lomborg notes, as in the case of some fisheries and tropical forests, but the problems are not as severe as often depicted.

Even if professional doomsayers concede that things are getting better, they continue to charge that we are living on borrowed time: If population growth or chemical pollution will not do us in, then global warming will. Lomborg takes this charge seriously—he believes that human activity is measurably warming the earth—but he rejects the notion of a greenhouse apocalypse. Any temperature increase is likely to be modest, not catastrophic. While the costs of such a warming are real, "economic analyses clearly show that it will be far more expensive to cut [greenhouse gas] emissions radically than to pay the costs of adaptation to the increased temperatures." The Kyoto Protocol signed by the Clinton administration and championed by environmentalists is a bad deal. In the end, global warming is "a limited and manageable problem."

In many quarters, Lomborg's book has been greeted with horror and fury. Activist groups and environmental analysts have begun anti-Lomborg websites, published various critiques, and launched vicious ad hominem attacks.

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One "green" reviewer warns that Lomborg is a "junior" statistics professor and not an environmental expert—as if that would change the underlying data Lomborg cites. Jonathan Lash, president of the World Resources Institute, wrote a letter to environmental journalists warning that the book is misleading and has been "heavily publicized and championed by conservatives." Another "researcher," less prone to reasoned discourse, assaulted Lomborg with a pie.

Perhaps the most notable attack so far has appeared in *Scientific American*. Under the headline "Science Defends Itself Against *The Skeptical Environmentalist*," the popular science magazine published four essays by activist researchers, including two whom Lomborg criticizes by name. As with most of the attacks, however, the essays decried Lomborg's theses without identifying significant substantive errors. Stanford's Stephen Schneider, for example, claimed Lomborg was selective in his presentation of economic studies on global warming, but in fact it was Schneider who misconstrued (or misrepresented) Lomborg's claims.

John Holdren of Harvard University's Kennedy School complained that Lomborg focused on neo-Malthusian fears that we are running out of energy. Serious environmentalists, Holdren counseled, have long abandoned such concerns. That may have come as a surprise to *Scientific American*'s readers, however, as the monthly has recently published several articles and reviews suggesting that depletion of oil supplies could be imminent. Challenged on this point, *Scientific American* editor-in-chief John Rennie replied that his magazine's articles were about the end of "*cheap* oil," not the exhaustion of physical supplies. Not only is this a distinction without a difference—as oil supplies dwindle, prices rise—but Lomborg makes clear throughout his energy chapter that his target is the argument that we will run out of *affordable* energy. As he explains, "Even if we were to run out of oil, this would not mean that oil was unavailable, only that it would be very, very expensive. If we want to examine whether oil is getting more and more scarce we have to look at whether oil is getting more and more expensive." Lomborg then proceeds to show that oil has been getting cheaper as available supplies increase. Should this trend reverse, price signals will encourage the development of other energy sources.

While Lomborg is an optimist, he is no Pollyanna. He regularly pauses to remind the reader that environmental concerns are real. The claim that 40,000 species disappear every year may have no empirical basis whatsoever, but Lomborg leaves no doubt that extinction rates are on the rise and that human activity is largely to blame. This, he says, is a "problem," not a "catastrophe." The record of environmental progress is impressive, particularly in the developed world, but substantial environmental concerns remain in the poorer nations of the developing world—for example, suffocating air pollution and inadequate supplies of drinking water. Continued economic growth may one day alleviate these concerns, but millions suffer from severe pollution today. Lomborg's frank and repeated acknowledgements of the need for environmental progress are hard to square with the caricature presented by his critics.

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While Lomborg is an optimist, he is no Pollyanna.

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Fears of an environmental cataclysm have driven the growth of governmental power at the local, national, and even international levels; hundreds of pages in the U.S. Code are devoted to environmental concerns, as are dozens of international treaties. A great portion of these measures seek to address the very problems Lomborg identifies as overstated. Yet other than the Kyoto Protocol, Lomborg critiques surprisingly few environmental initiatives. Beyond increases in foreign aid and generic policies that promote economic growth, his most substantial policy recommendation is to rely on quantitative analysis to set environmental priorities.

It's true that science-based risk prioritization is often lacking in environmental policy, but it is insufficient as a policy agenda: "Sound science" is only one piece of the puzzle. The accumulation of statistics on environmental trends provides a useful snapshot of the global condition, but it does not answer pressing questions, such as how to address uncertainty in environmental risk, or what obligations (if any) humanity has to future generations or to the rest of nature. Once priorities are set, substantial questions remain about how to achieve environmental goals.

While environmental progress is indeed the norm today, it is not universal: Positive global trends often mask local or regional regression. Buried in the data is a pattern illustrating the nature of environmental problems—and their resolution: Wealthier societies are healthier societies, and are more willing to devote resources to environmental concerns. But this is only part of the picture. Equivalent wealth increases have not always produced equivalent environmental results. Legal and economic institutions play an essential role in facilitating environmental protection. In his brief discussions of forests and fish, Lomborg hints at the role that property rights play in the stewardship of natural resources, but this awaits a fuller discussion.

The conventional wisdom holds that modern environmental regulation must take most of the credit for positive environmental trends. Yet Lomborg suggests that the role of regulation is overstated. Key turning points in environmental trends often predated federal environmental legislation. In the states, airborne-particulate concentrations peaked in the 1950s, more than a decade before creation of the Environmental Protection Agency. Smoke and sulfur-dioxide levels peaked in London nearly a century ago. Here again, however, Lomborg is reluctant to give the data much interpretation.

Despite these minor flaws, his compilation of environmental data remains invaluable. *The Skeptical Environmentalist* provides no brief for environmental complacency, but it provides plenty of reasons to feel good about the earth—which is in far better shape than green activists would have us believe. The truth matters: Lomborg's claims are supported by an arsenal of hard data, and are easy to confirm. And that, in the final analysis, is what has his critics so upset. **NR**

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The Eagle's Flight

CHARLES R. KESLER

On Two Wings: Humble Faith and Common Sense at the American Founding, by Michael Novak (Encounter, 250 pp., $23.95)

In his engaging new book, Michael Novak explains why Americans of the founding era thought themselves favored, and consequently tested, by God—and argues that, without such faith, the fledgling Republic would never have gotten off the ground.

The author of *The Spirit of Democratic Capitalism* and other celebrated works, Novak has labored for several decades to blend democratic theory, free-market economics, and Catholic theology into a powerful new synthesis. By putting the classics back into classical economics, he has helped to revive the Whig philosophical tradition, and especially its solicitude for the cultural conditions of individual freedom. Novak's Whiggism is, to be sure, more Catholic than the original, but it commends itself to anyone who cares about the blessings of liberty.

Alexis de Tocqueville was the most famous, though by no means the first, observer to wonder why in the American Revolution the spirit of liberty and the spirit of religion had been allies, while in the French Revolution they had been bitter enemies. Novak's book addresses the same issue in a new context: He is dismayed by the secularism that dominates most 20th-century interpretations of the Founding, and worries that historians and political scientists are infusing the spirit of the French Revolution into their accounts of the American. Novak seeks to rescue our past not only from the contemporary *philosophes* who despise or, at best, ignore religion, but also from those conservative thinkers, supposedly friendly to religion, who persist in seeing the Founding as an almost exclusively secular affair.

In fact, Novak devotes the best parts of this book to arguing with his friends—in particular, conservative Catholics and followers of Leo Strauss. He wants to show the Catholics that the U.S. fulfills Catholic principles even better than the confessional state longed for by ultra-traditionalists; and he wants to persuade the Straussians (he singles out Walter Berns, his colleague at the American Enterprise Institute) that America is not simply a bourgeois emanation of the Enlightenment or a philosophers' plot against religion.

In short, Novak loves this country and wants his friends to understand why it's lovable. Happily, he writes at a moment when the ranks of scholars questioning the secularist orthodoxy have swelled. In differing yet complementary ways, Ellis Sandoz, James Hutson, Harry V. Jaffa, and many others have been busy correcting the record. Novak borrows from and builds on their work. In a well-rounded treatment of the Founders' personal piety and character, he doesn't limit himself to the few (Jefferson, Franklin, Paine) famous for their heterodoxy, but considers such mainstream figures as John Witherspoon and John Dickinson as well. He cites a plethora of writings and events that exhibit how indispensable Christian zeal was to the Revolution. He even scours medieval and post-Reformation Catholic political thought in order to find dignified Christian antecedents for the doctrines of natural rights and the social contract.

Yet for all its virtues, the book leaves the reader somewhat unsatisfied. In *Brideshead Revisited*, some college lads return from a long night of drinking, which overcomes one of them; another explains charitably that it was neither the quantity nor the quality of the wines that was at fault. The real problem, he asserts, is that the wines were "too various." A similar problem bedevils *On Two Wings*: The excellence of individual parts shines through, but the whole disappoints because the parts are too various.

Novak begins by arguing that the American eagle took flight on the two wings of Enlightenment reason and "Jewish metaphysics." By the former, he means primarily the teachings of John Locke; by the latter, he means that "the language of Judaism [became] the unspoken background to a special American vision of nature, history, and the destiny of the human race." Americans saw themselves as a second Israel, fleeing corruption and tyranny for a promised land of republican liberty. Novak notes perceptively that "the idiom of Abraham, Isaac, and Jacob" became a "religious lingua franca" that enabled the founding generation to bypass Christian doctrinal disputes about the meaning of the New Testament, and to unite in a moral-political covenant.

This "Hebrew metaphysics" encouraged Americans to see history as linear, "a narrative of purpose and progress" in which human beings are free, the created world is intelligible, and man is called on to "inquire, invent, and discover" in imitation of the Creator—and to redeem liberty and human dignity by suffering and daring in behalf of republican government.

Here Novak's interesting Whiggism is on full display. But questions remain. For example, Jews and Christians alike do see history as linear and purposeful; but as progressive? Novak soon retreats from this overstatement, acknowledging that history is "measured for progress (or decline) by God's standards"—that is to say, he admits that progress is not guaranteed, because man is free to obey or to disobey God's standards.

Novak's more controversial assumption is that creativity is an essential feature of human personality. But for Thomas Aquinas (whom Novak, following Lord Acton, calls "the first Whig"), creativity is not the distinguishing quality that Novak highlights. For Aquinas, the arts are basically an imitation of nature, meaning an imitation of the created order. Novak shifts the emphasis from imitation of the created order to imitation of the Creator—

Mr. Kesler is a professor of government at Claremont McKenna College and editor of the *Claremont Review of Books*.

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to a freer kind of making, one that tends to put nature aside. He explains this, and similar shifts, by a Whiggish appeal to progress: The experience of many centuries has led to a more complete understanding of these matters. But if history can be a story of decline, how can Novak be so sure that it confirms improvement?

At any rate, in the second chapter Novak explains that the American eagle rose into the sky on the wings of "plain reason and humble faith." Earlier, he had identified the two wings as the Enlightenment and Jewish metaphysics. Now Enlightenment reason and "plain reason" are not the same thing, and neither are Hebrew metaphysics and "humble faith." Does this eagle have two wings or four? Novak reconciles these accounts by reducing the Enlightenment to "the practical world of the eighteenth century," a world of "moral example" and common sense that the Founders considered continuous with the Biblical and classical worlds. Besides, the Founders "were not Enlightenment philosophers but men of affairs," statesmen who acted not "as philosophers" of any sort "but as nation builders, expressing the will of a religious people."

There is good sense in this, but by failing to confront the specific character of Enlightenment reason, Novak ends up leaving "plain reason" or common sense rather vague. He seems to confine it to the knowledge of particulars, as though common sense did not include some knowledge of universals. His case for the Founders' prudence would have been bolstered if he had made clear that the Enlightenment was first a radical contraction of reason—the principled renunciation of common sense—and only then reason's wild apotheosis.

And did this political "reason," however understood, conflict with religion? Novak argues that the Founders understood America's republican principles not to be anti-Christian (as many of today's Straussians and Catholic ultras claim) but, on the contrary, to be "harmonious with" or even to "spring from" Christian beliefs. He makes a very powerful case for both of these claims. John Adams, for example, called the Bible "the most republican book in the world"; Benjamin Rush declared, "A Christian cannot fail of being a republican." Novak shows persuasively that "the added lift of faith" enabled America and its Revolution to soar.

After a narrow but illuminating discussion of religious liberty, Novak devotes the remainder of the volume to the explication of "a religious theory" of natural or human rights, and then to a defense of his theses against typical criticisms. He traces the medieval evolution of personal rights, while admitting that these never amounted to full-blown natural rights; and he appeals to the Thomistic account of human dignity. America's "matching of the politics of liberty to the theology of liberty had never before been achieved," he concludes.

■

The Founders understood America to be harmonious with Christian beliefs.

■

Here, toward the end of the book, Novak brings out the heavy artillery of theology—because he realizes that he hasn't disposed of the problem of the Enlightenment. He now has to confront "the very flatness and insipidity of Locke's ethical vision" and "its frequent reduction of the higher to the lower," which rendered it "unlikely of itself to inspire nobility of spirit." Accordingly, the Founders' doctrine of natural rights will need "auxiliary supports" or somehow "to be rooted in human dignity"—and for most of the Founders, Novak argues, the source of human dignity was religion.

By the end of Novak's book, then, reason seems to be dependent on faith not just for an "added lift," but for internal consistency and goodness. "The actual ground on which the Founders turned to natural rights was the ground of faith," he writes, "where they grasped the dignity of every individual" and hence his inalienable rights. Even the Enlightenment turns out to be a secret believer: "To the extent that the Enlightenment depends upon the principle of 'created equal,' it depends upon Jewish metaphysics and Christian faith." It now looks as though the American eagle is a one-winged bird after all; or, at any rate, it has only a single wing unclipped.

A better interpretation, which Novak actually sketches alongside this primary one, takes seriously the human capacity for "reflection and choice" appealed to in *The Federalist*. The common sense of the American Founding surely arose from its recognition that human beings are distinguished from other animals by this capacity. Our dignity thus rested on our special rank in nature—a truth that plain reason could grasp as self-evident. Our rank in nature was also, however, a special rank in Creation, between the beasts and the angels. Reason and revelation concurred in seeing our rights in light of our rank, and hence insisted that human rights are inseparable from human duties.

Michael Novak is one of our most valuable philosophers of freedom, and he understands well that "the American theory of rights is religious as well as reasonable." In this important book—uneven though it may be—he proves the point convincingly. **NR**

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Poses from Posties

JAMES BOWMAN

The News About the News: American Journalism in Peril, by Leonard Downie Jr. and Robert G. Kaiser (Knopf, 288 pp., $25)

WHEN, back in 1985, the "Westland affair" almost brought down Mrs. Thatcher's government, there was a curious statement by her then-defense minister, Michael Heseltine, who had started the whole thing. Westland was a small British manufacturer of helicopters, and it would have failed without the sale of a significant minority of its shares to either the Sikorsky Corporation of America or a European consortium. Heseltine favored the Europeans; Thatcher and her trade secretary, Leon Brittan, favored the American bid. Heseltine ended up resigning from the cabinet, on the grounds that Sikorsky's stake would ultimately mean that Westland's highly skilled workforce would become "merely a metal-bashing operation" for the Americans. As it was, he said, Westland made "the best helicopters in the world"; they just couldn't get enough people to buy them to stay in business.

Possibly Heseltine was right, but I wondered then and still wonder now about that use of the word "best." Could it be possible that Westland was making a kind of ideal, Platonic helicopter, a helicopter that was nearer to God's own idea of what a helicopter ought to be than any other helicopter on earth? If so, were considerations of price and functionality irrelevant? If someone sets up in business to manufacture steam-powered toothpicks and then finds that no one wants steam-powered toothpicks, is it a mitigation of his failure to say that he made the "best" steam-powered toothpicks in the world? Would not the "best" steam-powered toothpick be one that people actually wanted to buy? Likewise, the best helicopter could not really be the best—could not even be good—if hardly anyone wanted it, since to be good it would have to be salable to the public and profitable to its maker.

But the Heseltinian view of quality in helicopters also informs Leonard Downie Jr. and Robert G. Kaiser's view of quality in journalism. The case made by these *Washington Post* editors that American journalism is "in peril" rests on an absolutist conception of journalism. To them, journalism, like art, exists for its own sake. Its quality, or lack of it, is not to be judged in the marketplace, by what kind and how much of the stuff people want to buy, or consume, but according to the "professional" judgment of connoisseurs like themselves. The bad guys in this book are large media corporations that own many journalistic properties, and drive their employees to make those properties more profitable by reducing news coverage and hiring fewer reporters.

The book accuses these corporations of vitiating journalistic quality by creating something that they, or their advertisers, believe more people will want. But Downie and Kaiser seem to be raising two contradictory scenarios of how this is actually playing out. On the one hand, they say that the corporate philistines are wrong, and that the markets already *are* punishing them; on the other, they charge that the corporate bigwigs are paying far too much attention to their "profit margins," which is to say, the market. Surely both things cannot be true.

Yet the contradiction passes almost unnoticed, because Downie and Kaiser aren't really interested in the question of what consumers want; they do not see journalism as being something for *use*, like helicopters, but rather something to be judged only on its own terms. Every now and then they ask themselves a question like this: "Does the mediocrity of local television news reflect what viewers want? Or have they merely become complacent about what they are given?" But they never really answer it, preferring on the whole to adopt the view of one of their "experts" that anyone pointing to all the obvious signs that ordinary people prefer sensationalism and gossip on TV to serious news is just "masking the subordination of the public's interest to the short-term interest of investors."

Finally, it is September 11 that seems to give them a way around their contradiction. "For much of the 1980s and 1990s," they write, "American news organizations had drifted toward softer, sillier, less significant journalism in a society that didn't seem to protest. Then an unanticipated national catastrophe reminded both the providers and consumers of news that good journalism was not just appealing, but absolutely necessary. Suddenly the choices between soft and hard, silly and serious news values came into clear focus." The implication is that a mass audience was temporarily seduced by Monica or Chandra or O.J. away from its natural love of ponderous, *Washington Post*-style discussions of national defense or foreign policy, and would henceforth do better in living up to Messrs. Downie and Kaiser's expectations of it.

Yet readers of this book may have a

Mr. Bowman is a resident scholar at the Ethics and Public Policy Center in Washington, D.C., and the American editor of the *Times Literary Supplement* of London. He writes a monthly media column for *The New Criterion*.

A LOST SCHOLAR

At the crossroads he looks for a sign,
but finds none. Swallows
are passing, up and down—
up and down—in the spring air.
He sits on a boulder waiting
for someone to break the skyline.

His donkey brays, kicks the dust
and shakes the heavy load
of classics on its back.
Tears glaze his eyes while
dusk nibbles the trails,
katydids hissing a labyrinth.

How could a human being travel
without a map or a destination
like a fish in the ocean
or a leaf in the wind?

For the first time he is crushed
by the weight of free choice.

—HA JIN

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different idea of why "serious" journalists like the authors do not attract more readers. For their writing is not just dull, it is paralytically dull. An ordinary journalism textbook (which this resembles) is a page-turner by comparison. Banality follows banality in a swiftly flowing stream as we are told for the third or fourth time that "television, like radio, is a relatively inefficient conveyor of factual information" and that a typical evening news broadcast contains many fewer words and subjects than a daily newspaper. "So," as if you didn't know, "television has become enormously important in our national life, but it has never been a fully effective information medium." Indeed, "in modern America television has become an opiate as well as an entertainment medium."

You don't say! And why is that? Does it have to do with the fact that, by the 1990s, "ours had become a celebrity-besotted culture, with television the single most powerful promoter and ratifier of celebrityhood"? It's a theory, anyway. But then you may also be interested to know that "Americans have long been starstruck by celebrities"—as opposed, I guess, to being starstruck by nonentities. Here's another news flash: "Television allowed all of us to participate vicariously in great events all over the world" even as its live coverage of breaking stories was "an important element in the voyeuristic culture of our times." Furthermore, "it can be fascinating and sometimes highly informative to be able to see big news being made." Well, now that you mention it, I guess it can.

True, this great mass of platitude and cliché is occasionally enlivened by a comically mixed metaphor, as when "the distance between the citizenry and 'the news'" is said to have been "eviscerated" or we are told that "the money machine no longer worked on automatic pilot." Also subject to "evisceration" by wicked corporate types were "the networks' foreign staffs"—which does indeed seem rather harsh punishment for not being profitable enough. But then those with an eye to the bottom line are presumably capable of anything. The *Philadelphia Inquirer*, for example, "has been deeply shaken by a steady drumbeat of cost cutting, upheavals in its newsroom management, and the departures of dozens of talented staff members." Yeah, that cutting drumbeat will shake you all right.

Such awful writing suggests that the real "peril" to American journalism lies at least as much in its not being lively enough as in its being too lively, as—for instance—on local TV news. It is noteworthy when the authors write that "there is no obvious way to simultaneously shrink a newspaper and make it better." Oh, really? I fancy that there are more than a few readers of the *Washington Post* who could suggest a rather obvious way. But the authors' obliviousness to their own prolixity, dullness, and bad writing is owing to their insistence on regarding journalism as a "profession" rather than (as it properly is) a trade. A profession, like law or medicine or the cure of souls, has attached to it a body of real scholarship, which its practitioners must master. The attempts by schools of journalism—like those of schools of education—to provide a body of learning in substantiation of their feeble claim to professionalism only underline how much unlike their learned models they really are.

The important knowledge for a journalist is of what he is writing *about*, not knowledge of how to be a journalist, which is really a pretty simple thing. Downie and Kaiser quote Frank Magid, a broadcast consultant, on his worries about the new generation of broadcast journalists who, "while they may be trained to write and while they may be trained to articulate what is written . . . have no notion whatsoever about history, geography, political science, economics, and other things about which an informed individual should have some grasp." He adds that "unless and until the people in the profession come to grips with that, there will never be a change." What he should have said was that nothing would change unless and until the people in the profession came to realize that they are *not* a profession, and sent their apprentices back to school to learn not journalism but "history, geography, political science, economics and other things." Oh, and how to write. Then more people might want to read what they had to say. **NR**

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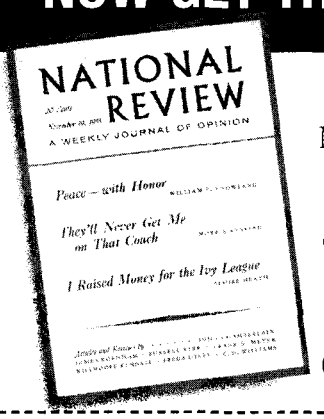
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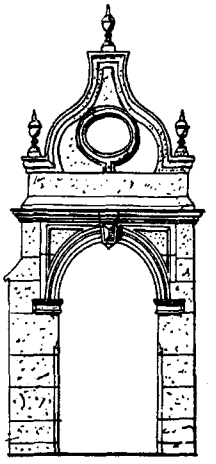
■ MUSIC ■

Weird and Wonderful

JAY NORDLINGER

YURI TEMIRKANOV is the conductor of both the St. Petersburg Philharmonic and the Baltimore Symphony Orchestra. (When I say St. Pete, by the way, I ain't talkin' Florida.) That's the way it is with conductors these days: You have an orchestra on only one continent, and you're a chump, a provincial. Three is preferable.

The St. Petersburg Philharmonic, of course, used to be the Leningrad Philharmonic, which for a historic 50 years was led by Yevgeny Mravinsky. This is the longest major-orchestra tenure on record, beating Eugene Ormandy at the Philadelphia Orchestra by six years. Mravinsky was the great unknown conductor of the 20th century—unknown in the West, that is. His life, unfortunately, spanned almost exactly the life of the Soviet Union. Mravinsky didn't jet around much.



Temirkanov took over in St. Petersburg in 1988, having made a reputation with the Royal Philharmonic Orchestra in London. He made many recordings with that institution, including a famous one of Rachmaninoff's Symphony No. 2, which was arguably the most stirring account of that much-traversed work ever recorded. Sadly, it is "nla"—no longer available—supplanted by a more recent one with the St. Petersburg, which doesn't reach the same height.

For three nights in March, Temirkanov brought his Russian orchestra to Carnegie Hall. Each of their concerts consisted of a major Russian symphony and a Rachmaninoff piano concerto, featuring a top-flight soloist. (There are four Rachmaninoff concertos, so one had to be the odd-man-out: That was No. 4, probably a wise choice, if you have to cut someone.)

Temirkanov is a most unusual and most fascinating conductor. He's tall, thin, and gangly—all arms. He does without a baton. His build is not a bad one for a conductor, and they come in *all* shapes and sizes. (Ormandy faced most people's navels.) Temirkanov looms over an orchestra, bending in, sweeping those arms, willing the players to do whatever's in his head. He's almost always unconventional, and sometimes maddening, but you indulge him, because he's deeply musical.

On Night One, the pianist was Yefim Bronfman, a Russian-Israeli-American (not an uncommon combination, or trajectory, today). Bronfman is, quite simply, one of the finest pianists in the world, a master of almost any music. His Mozart is impeccable, and he's unsurpassed in the big Romantic works. Of his recordings, perhaps the most brilliant is that of the two Shostakovich concertos, along with the piano quintet. Kiddies and their parents—as well as others of good taste—know Bronfman from his appearance in *Fantasia 2000* (in which he plays the first movement of the Shostakovich Second, with James Levine and the Chicago Symphony Orchestra—serving as Leopold Stokowski and the Philadelphia in this second *Fantasia*).

With the St. Petersburg, Bronfman played the Rachmaninoff Concerto No. 3, and he was at his technical and musical best. His playing was clear, clean, and sumptuous. If there can be a refined Rach 3—and there can be—this was it. In Bronfman's hands, the concerto wasn't a showpiece—or merely a showpiece—but a work of delicacy and beauty, to go with the passion and fire. He made this old, whipped work new. The word "artistry" is way overworked—particularly by PR types—but Bronfman has it.

The symphony on the program was the Shostakovich Fifth, a pivotal work for that composer, written in 1937. Temirkanov delivered a very strange, but still compelling, performance—no surprise there. Beauty of sound is not a hallmark of this orchestra, and neither is technical proficiency. So what is? Well, there's the peculiar musicality of the conductor. He kept a focus, kept bearing down on the score. For all its technical problems, this account was chilling, bleak, and rattling. The slow movement was exceptionally profound and moving. Temirkanov's tempos were idiosyncratic, and his dynamics were odd, too. You would never encourage a young conductor—or any—to follow suit. Temirkanovness only works for Temirkanov.

Several years ago, he was guest-conducting the New York Philharmonic. When he was through, a distinguished critic sitting next to me shook his head and said, "He's so weird"—which he did not mean, necessarily, as a condemnation. It was just true.

■

Temirkanov is unconventional, and sometimes maddening, but he's deeply musical.

■

On this first night, Temirkanov and the St. Petersburg played two encores, the second of which was a not-so-sharp "Death of Tybalt" from Prokofiev's *Romeo and Juliet*. (Every Russian orchestra, from time immemorial, has typically played one of two encores: that and the Trepak, or Russian Dance, from *The Nutcracker*.)

On Night Two, the pianist was Leif Ove Andsnes, a popular young Norwegian about whom there's a lot of "buzz." He has been the subject of many feature pieces, all of which comment on his smarts, dedication, and wardrobe (which tends to the hip). Andsnes has a wide repertory, all of which he plays ably. He does two things that will forever endear him to critics: He participates in chamber music, and he programs a lot of contemporary music. For many, playing chamber music is next to godliness—and playing new music is godliness itself.

With Temirkanov, Andsnes did the Rachmaninoff First, a problematic concerto, one that gave the poor composer fits. Andsnes is not a Rachmaninoff player in the traditional sense: He doesn't have a big, lush sound, and he doesn't sweep grandly across the key-

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board. But he has many virtues, one of which is almost frightening clarity. He couldn't be muddy if he tried. His playing can be rather stiff, however: He tends to hammer at the keyboard, from the top. Yet he is a convincing musician. He played with abandon and care at the same time (not as impossible as it seems). Also, his affection for this concerto—something of a stepchild in the literature—was obvious and touching.

He, too, played an encore: a Rachmaninoff prelude, which was lovely, but which was also self-conscious and rather precious—as if the pianist were saying, "See how nicely I'm shaping this?"

After intermission, it was the Shostakovich Symphony No. 7, nicknamed "the Leningrad." This opus was written in the teeth of World War II—in 1941—and a good performance of it is pulverizing. Fair or not, the expectations for the Leningrad Philharmonic in the "Leningrad" Symphony are very high.

Temirkanov gave us a reading that wasn't nearly as crisp or bracing as some. It was a little flabby and, as ever, individualistic (which can be a polite way of saying "weird"). But it was packed with emotional power. There is some wizardry about Temirkanov. Often he is an *exciting* conductor, taking you on a wild ride with him, along an unfamiliar route. Some nights, he reminds me of Stokowski, another wizard (and batonless, too).

Following the "Leningrad," Temirkanov and the orchestra played one of the most unusual encores I have ever heard, or witnessed: the great "Nimrod" variation from Elgar's *Enigma*. This could not have seemed unlikelier: an English hymn, intruded into this Russian festival. But it washed away the brutality of the Shostakovich Seventh, providing a kind of benediction—letting us know that everything was okay, after all. It was perfect.

Night Three featured a most welcome visitor: the pianist Dmitri Alexeev, whose recordings are well known—and well regarded—but who is seldom heard in the flesh in this country. Several well-known pianists were in the hall, suggesting that they, too, were eager to have a peek at Alexeev. Outstanding among his recordings are the complete preludes of Rachmaninoff, along with other works, such as the *Etudes-tableaux*. Alexeev also participated in one of the most unusual recordings I can think of: an album of spirituals with the soprano Barbara Hendricks, in which Alexeev improvises—or so it seems—jazz accompaniments. A black American soprano, a Russian pianist, and jazzified spirituals: Only in America (so to speak).

Alexeev's concerto was Rachmaninoff's Second, and it seems certain that the pianist did not have his best night. For one thing, he and Temirkanov were just about never together. I'm surprised they connected on the handshake following the final notes. Alexeev's playing was somewhat sloppy and blurred, but it had moments—many moments—of great beauty, particularly in the Adagio. He delivered a rather dreamy, Chopinesque Rach 2, with a minimum of bombast—greatly appreciated.

■

I'm surprised that conductor and pianist connected on the handshake.

■

Then Temirkanov, departing from Shostakovich, led the orchestra in Tchaikovsky's Symphony No. 4. I will say again: The St. Petersburg Philharmonic is far from a technical marvel. It can sound remarkably ragtag. Can an orchestra be both rag-tag and formidable? Yes, if musical qualities come to the fore and carry the day, as, with the St. Petersburg, they often do. Much of the Tchaikovsky was a mess, and none too beautiful: but Temirkanov told a story—this is a symphony with a "program"—and kept us on the edge, or close to the edge, of our seats.

I had thought that the Elgar was a strange encore. But no: On this final evening, Temirkanov offered an arrangement of "Deep River." Surely he meant this as a tribute to his American audience, although it seemed a little odd to hear this great spiritual in New York City—Atlanta might have been more natural. But it was a wonderful gesture. And then—you could have bet half your life savings—they played the Trepak.

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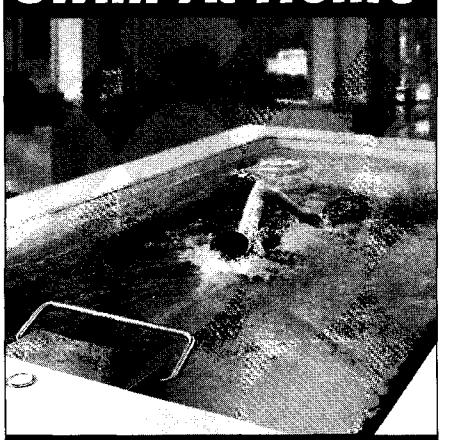

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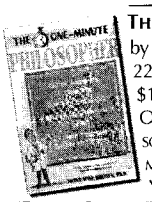

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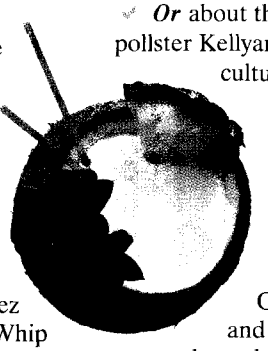

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Tues/Nov. 19	Loreto	7:00AM	5:00PM	
Wed/Nov. 20	Pichilingue/La Paz	8:00AM	6:00PM	evening cocktail reception
Thur/Nov. 21	Cabo San Lucas	7:00AM	4:00PM	afternoon seminar late-night smoker
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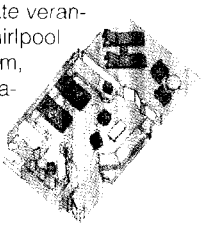

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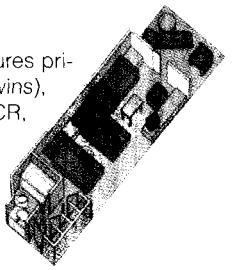

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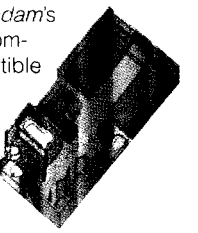

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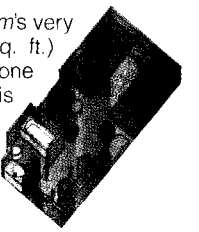

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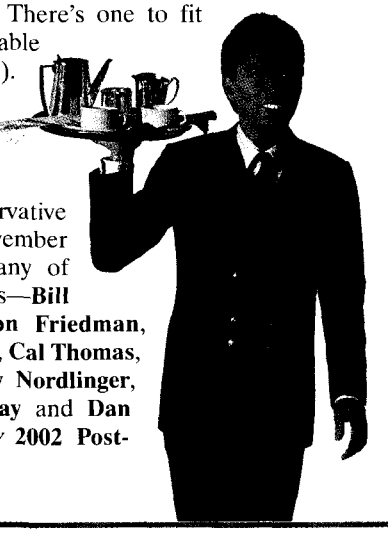

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Please fill out application completely and mail with deposit check or fax with credit-card information. One application per cabin. If you want more than one cabin, make copies of this application. For questions call The Cruise Authority at 800-707-1634.

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Name #2 (full legal name) + Nickname _____ Shirt size (M/L/XL) _____

Names #3 & #4 (if taking others in your cabin) _____

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( ) _____

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(Make checks payable to "National Review Cruise")

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Expiration Date (Month) ☐☐ (Year) ☐☐

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June 14, 2002 to Augus16, 2002	*$350 per person*
AFTER *August 16, 2002*	*100% of cruise/package* 04/08/NR

Itinerary

(All rates are per person, double occupancy, and include all port charges and taxes, all gratuities, meals, entertainment, and *National Review* activities. Cruise-only rates include all of above except airfare and transfers. Failure to appear for embarkation for any reason constitutes a cancellation subject to full penalties. Personal items not included.)

PLEASE CHECK ALL APPLICABLE BOXES!

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First cabin category choice:_____ Second cabin category choice:_____

Bedding: Beds made up as ☐ Twin ☐ King/Queen

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☐ We will provide our own roundtrip air and transfers to and from San Diego.
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☐ We need to purchase transfers from the airport to the ship at $20 per person.

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DINNER: ☐ 8:15PM ☐ 6:15PM (conflicts with dining with speakers/events)

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WILLIAM F. BUCKLEY JR.

Frank Rich Hates To Do It

NEW YORK, MARCH 1

THE use of sex-talk in the high calling of disparaging it is nicely illustrated by Frank Rich of the *New York Times*, who has written about the (brace yourself) re-re-defection of author David Brock. Mr. Brock, in his ongoing confessional book, writes now, *Blinded by the Right: The Conscience of an Ex-Conservative*.

Culture critic Rich is terribly anxious to make sex-oriented points, in order to deplore their being made. Here is what he has to work with.

David Brock first got public attention by writing a book, the finding of which was that Anita Hill, the alleged victim of Clarence Thomas, was "a little bit nutty and a little bit slutty."

Two things then happened. David Brock decided to atone for his past attack on Miss Hill, and incidentally on Hillary Clinton, to which end he wrote another book and an article for *Esquire* called "Confessions of a Right-Wing Hit Man." Here he appeared as St. Sebastian, waiting, eyes lifted to heaven, for the arrows that would martyr him. But before the arrows came to an absolute rest, a second thing happened—another confession, the new book turning, apparently, this way and that, on this and that, redefining the Brockian view of things. It is treated by Mr. Rich with the exegetical curiosity one might show to a Vatican III.

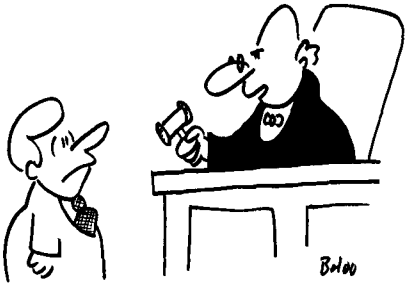
Now it is sort of essential to the fresh view of Brock that he be recognized as a self-declared homosexual, which makes it easier for Mr. Rich simultaneously to deplore all the political/cultural commentary that writhes in and out of public figures' sexual lives. He does this by giving out the names of public figures who were/are/may be gay, adulterous, or hypocritical. This permits him to tell us that he is glad that the Nineties are at least temporarily behind us, the Nineties being the decade in which Anita Hill was written about as sluttish, and Bill Clinton as a libertine. He has, providentially, an opportunity to talk about people and things he doesn't like, where possible dredging up a sex angle. He does not like the *Washington Times*, so he runs over Arnaud de Borchgrave, its sometime editor, because . . . because the Rev. Sun Myung Moon, whose movement owns the *Times*, officiates over multiple-marriage ceremonies.

The Nineties was when "the hottest partisan battles"—we can now see—"revolved around Long Dong Silver and Paula Jones, not Stalin." That gave us a chance to talk about Long Dong Silver. And, while at it, to say that Clarence Thomas rented some porn videos, though Brock denied this (the second time around) and now repudiates his denial.

This permits us to denounce people who denounce sexual misconduct, along the lines of, "A Richard Mellon Scaife-financed talk-show bloviator and cut-and-paste writer like William Bennett," whom you would not recognize as having been a professor of philosophy at Boston University and a former secretary of education. And we are reminded that Whittaker Chambers (in his youth, this being something we are not reminded of) had homosexual experiences, as did Allan Bloom, and that Rudy Giuliani is a womanizer, also Newt Gingrich, also Henry Hyde and Robert Livingston, that Roy Cohn was a homosexual, also J. Edgar Hoover, as also one of Phyllis Schlafly's children.

We are quite carried along, but then we learn that Brock's slur against Anita Hill was motivated by the desire to "force the conservatives to love a faggot whether they liked it or not"! This should not have worried Brock, Mr. Rich tells us, because far from being ostracized as a homosexual, he was courted *à outrance*! At a party at his Georgetown home, he had to eject a conservative columnist "after he pushed me onto a bed, into a pile of coats, and tried to stick his tongue down my throat." And that became a way of life for poor Brock, as for instance his problem with "the closeted pro-impeachment Republican congressman, who had pursued me drunkenly through a black-tie Washington dinner, offering a flower he had plucked from a bud vase, condemning Clinton for demeaning his office."

Frank Rich is glad that that kind of thing is behind us, at least for the time being.



"'Not guilty'?—Are you trying to start an argument?"

As We Live And Breathe!

NEW YORK, MARCH 8

THE California primary was mint-julep time for American conservatives who, however pleased they are about George W., very much needed a sign of life from the outback. What was especially spectacular about Bill Simon's victory was its dire unpredictability. We have now in the White House the son of a GOP patriarch and, prospectively in the governor's mansion in California, the son of another GOP patriarch. And where in California? In Sacramento, where 35 years ago another upstart Republican arrived, making his way to the White House, where he officiated for eight years, pending his final destination in the American pantheon.

Everything about the Simon upset is gratifying.

—Bill Simon was so invisible a name in California that when he won the primary, some people reportedly had to look in the newspaper to remind themselves of the name of the winner.

—If ever there was an underdog, it was he. As recently as in December, he was being given 5 percent of the Republican primary vote, up against 20-odd for Secretary of State Bill Jones, and 40–50 percent for Richard Riordan, the former mayor of Los Angeles.

—Bill Simon was not only unknown, he gave the impression of being deservedly unknown. At his first major appearance announcing his candidacy in New York City, his speech and manner were those of the committed amateur, and many in the audience contrasted his performance wistfully

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with that of his late father, the charismatic former secretary of the treasury, a commanding figure onstage and offstage.

—This time around, President Bush flouted the tradition of Ronald Reagan and Gerald Ford. The president's representative in California urged Riordan to compete for the Republican nomination. This violated Reagan's so-called Eleventh Commandment, which was never to favor one Republican over another in a primary contest. The backing of the Bush machine in California appeared to deepen the odds against Simon, but two developments began to affect favorably his prospects. The first was the intervention of Rudy Giuliani, who had known Simon as an assistant prosecutor when Rudy was U.S. attorney. Giuliani did more than merely say nice things about Simon while passing through. He vigorously campaigned for him.

A second development was an astonishing series of ads taken by California governor Gray Davis and aimed at Richard Riordan, who loomed as the Republican challenger. The ads brought attention to Riordan's eccentric record, a Republican whose various attachments to various causes and political figures made him politically amorphous. If it was Governor Davis's intention to hurt Riordan—on the grounds that he was a graver prospective menace than Simon—it's clear that he did hurt him, but not clear that he will, in the end, have an easier time of it with Simon as his opponent.

California is a Democratic state, but the question in November is likelier to rest on whether four more years of Gray Davis are to be preferred to a term for a fresh and vigorous challenger, never mind that he is a conservative. What doesn't work in California is a spiritless candidacy associated with anaemic programs. It is all very well for Terry McAuliffe, the Democratic chairman, to argue that Simon will have to bear the weight of being pro-life, pro-guns, and anti-environment. Even in California, there are those who will ask themselves: If Simon is elected, does that mean the Supreme Court will rescind *Roe* v. *Wade*? If he is elected, will people negotiate their differences with six-shooters? If he is elected, will California beaches simply disappear?

The hallucinations are in contrast to life as it is under Governor Gray Davis, with fitful power supplies, high taxes, high deficits, and a generation of schoolchildren being taught illiteracy in two languages. It would be fine if the Republican presidential nominating convention in 2004 took place in Sacramento, and were welcomed by Governor William E. Simon Jr.

The Writhings of Bishop O'Connell

NEW YORK, MARCH 12

BISHOP ANTHONY O'CONNELL of Palm Beach said, at the outset of his meeting with the press, his staff, and his fellow priests, that he'd had "a full day." He had proffered his resignation to the Pope as bishop of Palm Beach. And now, he said, "I want to apologize as sincerely and as abjectly as I possibly can." In his meandering address, the bishop said that God had given him "a lot of abilities and great gifts" and that he could "truthfully say I have used those gifts very fully." But one of those gifts is not a gift in the arts of abjection. He apologized for the effect of what he did to the young man, the effect of what he did in deceiving his fellow priests and bishops and the papal nuncio. What he forgot to apologize for was what he did.

To position the story as it might be done by a playwright with an eye to piquancy, here it is.

—The bishop of Palm Beach, in 1998, is revealed to have molested several minors.

—In order to sanitize this extraordinary scandal, the Vatican sends in a fresh, hygienic bishop, Bishop O'Connell, who for 18 years had been in charge of a high-school seminary in Missouri.

—On March 7, the Florida bishops, led by the archbishop of Miami, issued a statement against the sex practices that so many priests have been charged with.

—Among the signers was Bishop O'Connell.

—At this point, presumably reacting to the bishops' statement, one Christopher Dixon in Missouri goes to the *St. Louis Post-Dispatch* and tells of his own abuse at age 15 by Bishop O'Connell at the high-school seminary, of the lawsuit he subsequently filed against the bishop, and of the secret settlement by the diocese.

On this business, Bishop O'Connell, in his abject statement of apology, reported that he had actually only "touched" Dixon; that he was really engaged only in experimental therapy; that back in those days, Catholic theology was to some extent influenced by the teachings of Masters and Johnson. He found it relevant to say that he had, in his three years in Palm Beach, made "wonderful Jewish friends." Also, he has made "wonderful friends in the Muslim community, in the Protestant community, and in the civic community." He said he wanted to apologize to all of them, sincerely and, again, abjectly.

"Obviously," he admitted, "I will have to confess that in some ways I was very misguided back in those years." But he found in the diocese now "a sense of unity now stronger than ever." He proceeded to appeal "particularly to my fellow Catholics, with a reminder that we have only one priest, who is Jesus Christ."

To those who "support him," he asked for prayers and more "expressions of love." To those who are angry, he asked that they "pray for my forgiveness" and "pray for their ability themselves to forgive." He forgot only to ask us to pray that the editors of the *St. Louis Post-Dispatch* grow in Christian charity sufficiently to repent having exposed the bishop's exercise in Masters and Johnson therapy with a 15-year-old.

I had a note today from my older brother, who when he served in the United States Senate was familiarly referred to as "the sainted junior senator from New York." He went on to serve as Under Secretary of State, president of Radio Free Europe, and judge in the federal Court of Appeals in Washington. He wrote, "This is an occasion where a papal apology is truly appropriate. The apology should be accompanied by the proclamation of a Church-wide tolerance-of-error policy, explaining that while the Church continues to love the sinner and hope for reformation and salvation, its overarching responsibility to the faithful requires it to defrock or otherwise to isolate any priest who is guilty of sex abuse."

I also received an appeal from the Pope John Paul II Cultural Center. An enclosure was a photograph of the Pope, his arms extended over the shoulders of a young boy. The text: "Pope John Paul II has embraced young people as a focus of his papacy and has inspired millions of them to follow a path that leads to Christ. He sees young people as a continuing presence in the Church, and as the greatest hope for a truly universal Church." The Pope needs now to speak with the same voice with which Christ rued those who seek to corrupt young people.

—UNIVERSAL PRESS SYNDICATE

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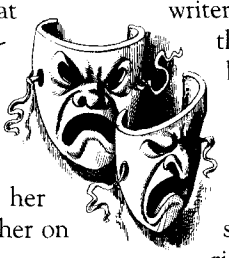
■ THE MISANTHROPE'S CORNER ■

FLORENCE KING

PLAGIARISM, again. It seems to happen in waves, like high-school shootings. Three or four in a row, then a lull, then another batch, until they all run together in the mind and it becomes hard to tell one from the other.

The latest dustup stars popular historians Stephen Ambrose and Doris Kearns Goodwin. I've never read Ambrose, but Goodwin interests me because I reviewed what may turn out to be the only book she's ever written that she didn't plagiarize: her memoir. I forget the title but it was about growing up as a passionate fan of the old Brooklyn Dodgers. She really is an expert on baseball and I gave her credit for that, but I attacked her on two other counts.



One was her unconscionable padding. She recounts that as a teen she worked behind the soda fountain at the town drugstore, and then proceeds to a detailed description of how to make an ice-cream soda; every squirt, every fizz, every dollop is presented for the edification of the untold millions who have never eaten or seen or heard of an ice-cream soda or set foot in a drugstore.

A good writer simply doesn't do this, even in a featherweight book like this one; rules are rules, and the rule about padding was etched on lit. crit. by Boileau, whom I probably quoted in my review: "All that is needless, carefully avoid/ The mind, once satisfied, is quickly cloyed." Especially by chocolate syrup.

The other thing I pounced on was either her hypocrisy or her blindness, I couldn't tell which. Reflecting on her childhood in a provincial Long Island town, she waxed nostalgic over the loss of the tranquility and safety she had known, and tentatively rued the loosening influence of the old monolithic Catholicism in which she had been raised. That did it. "Why," I wrote, "do liberals mourn the loss of the very things that their own politics have destroyed?"

I've read Goodwin's book about the Kennedys and the Fitzgeralds, and the one about FDR during WWII. While they were fairly enjoyable, the thing that struck me about them is that I found nothing whatsoever to underline. Normally, when I get through with a book you couldn't get a quarter for it at a yard sale, but give me a Goodwin and I'll give it back in mint condition; you could use it for a Christmas present with no one the wiser. This may be proof of her innocence: Surely, if she stole from other writers, *something* would stand out. On the other hand, it may be proof of her guilt: Every stolen passage stands out like a sore thumb.

Goodwin is a classic example of mediocrity: There's nothing really wrong with her literary style, but there's nothing really right with it either; its natural home is the term paper, or the "kit" and "materials" that come with "programs" like Hooked on Phonics. Her penchant for stating the obvious with an air of perky pride gives her work the flavor of a dumbed-down version of the Book of Revelation, but she achieves full twit-hood in her ubiquitous television appearances, where it's hard to distinguish her banalities from those of the call-in viewers. This establishes her as "unthreatening," which is the whole point of American life. A typical Goodwinism—"The role of the First Lady was ceremonial and Eleanor really shocked people"—lowers the goalposts enough so that she emerges on the other side as the historian next door, a friendly academic cook making napoleons on Food Network while talking on the phone.

The latest plagiarism controversy is hot news right now, but only because it's a scandal involving celebrities. Nobody, including the media, gives a damn about plagiarism per se. That America regards it as a joke is evident from the cute headlines: "Tripping Over Their Own Footnotes," "Twice-Told Tales," "History Repeats Itself." Ambrose and Goodwin will lie low for a while, then reappear wrapped in mantles of modest triumph like the pill-poppers who shuffle off to the Betty Ford Clinic and live to tell the tale—eagerly, all over the tube.

The errant historians will appear before Larry King, who has forgiven more people than Jesus Christ, and talk about what they've learned and how they've grown. As a final fillip, somebody, somewhere will announce that plagiarism is an "addiction" and we will get six months' worth of talk shows about "PA Syndrome." Americans would never dream of excluding children when inventing new crippling disorders, so expect a spin-off debate about "Copycat Syndrome" and endless checklists on "How to Tell If Your Child Is . . ."

Once plagiarism becomes an officially designated addiction, its sufferers will not only be forgiven, but admired. This is the way America works. We cherish and reward mediocrity, cultivate it like the rarest of orchids. We don't want brilliant original historians because we don't want brilliant original anybodys. If you don't believe it, go to the movies. *I Am Sam* extols the mentally retarded (as did *A Child Is Waiting* way back in 1963), and *A Beautiful Mind*, for all its inspirational façade, warns of the dangers of genius.

Do I think Goodwin is guilty? Let's put it this way. The AP story about what she told the *Boston Globe* states: "She said she had copied from her notes rather than going back to the sources, sometimes losing track of which passages were hers and which were written by others."

I say this is impossible. Sentences are a writer's children; we can pick them out anywhere. Like children, they squirm and wriggle, hop up and down, scream at us, and in general make themselves instantly conspicuous. Blood is thicker than ink.

An interesting offshoot of the grand plagiarism that makes the news is the petit plagiarism that doesn't. In one of my books I coined—I thought—"If at first you don't secede, try, try again." Not long after, it turned up on Southern T-shirts and bumper stickers. Was I plagiarized? No. Anybody with half an ear could come up with that one.

Harder to pull off is the delicious phrase in a letter I just got from a fellow writer: "He has as much sense of play as a geriatric moose." Oh, God, I wish I had said it! **NR**

Miss King can be reached at P.O. Box 7113, Fredericksburg, Va. 22404.

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Is More Federal Aid the Answer?

Imagine that you are a worker in your 40s or 50s.

Imagine that you have worked in a manufacturing job for many years and are unprepared for any other work.

Imagine that your President, your Representative, and your Senators knowingly made trade agreements that now pit you against Third World workers paid less than 31 pennies per hour.

Unfortunately, this is not imaginary for millions of American workers. Trade deals made in the 1990s, such as NAFTA, give most U.S. manufacturers two real choices – go broke or relocate production in a penny-wage nation.

In the last 12 months alone, more than 1.3 million U.S. manufacturing jobs were lost.

Now Washington wants to expand NAFTA and make other trade pacts, putting even more U.S. jobs at risk. Before this can be done, however, Congress must authorize trade negotiations, something called "Fast Track" or "Trade Negotiating Authority."

Isn't the solution obvious? Make no trade deals that pit Americans against penny-wage labor.

To ease workers' fears about these trade pacts, proponents are now pushing legislation called Trade Adjustment Assistance (TAA).

Under TAA, workers displaced by imports would become eligible for federally funded retraining, extended unemployment compensation, and subsidized health insurance for up to one year.

Also, farmers, ranchers, miners and workers in the secondary supply industries would be eligible.

The problem is that in prior TAA programs only one-third of participating workers got a job as good as the one they lost. Another third did worse and the final third were forced out of the workforce altogether.

Isn't the solution obvious? Make no trade deals that pit Americans against penny-wage labor. Then, a massive new federal TAA program will be unnecessary.

We think trade should keep jobs in America, not export them.

What do you think?

For more information or to contact your elected officials and local media, go to www.craftedwithpride.org

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